

Petroleum Products

Program Manual



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PETROLEUM LABELING REQUIREMENTS

SECTION 1

LABELING AND RELATED REQUIREMENTS

PETROLEUM AND AUTOMOTIVE PRODUCTS

This section has been prepared to guide the inspector/investigator through the laws and regulations concerning proper labeling of petroleum products distributed and sold to the public. The requirements for effective and proper identification of products are an important benefit to the public.

These benefits are:

1. Decreasing human error in the handling of products in transit and before exposure for sale.
2. Identifying products on inspection for quality and grade.
3. Avoiding contamination and blending through accident.
4. Discouraging unscrupulous operators, manufacturers, and distributors from intentional substitution of inferior products.
5. Providing a uniform and legible means so buyers can recognize labeling of brands and grades.

The intent is to offer illustrations to supplement the legal wording of the Business and Professions Code (BPC) and the California Code of Regulations (CCR) for convenience in referring to and interpreting the various sections.

The enforcement is vested in the Division of Measurement Standards and county weights and measures officials. It is important that we recognize our responsibility for this work.

**California Business and Professions Code
Division 5, Chapter 14 - Petroleum
Article 9 - Labeling**

PURPOSE OF EACH SECTION

BPC 13480(a) - Unlawful to sell petroleum products unless the container, dispenser, storage tank fill pipe, etc., has a plainly visible label consisting of:

- ◆ Product name (i.e., gasoline, motor oil, etc.)
- ◆ Brand, trademark or trade name
- ◆ Grade or brand designation (engine fuel or kerosene)

BPC 13480(b) - Society of Automotive Engineers (SAE) viscosity grade classification is required on motor oil and gear oil labels.

BPC 13480(c) - Dispensers for automotive spark-ignition engine fuel (except M-85 and M-100 Methanol fuels) shall be labeled with the minimum octane number or antiknock index as defined in **BPC 13403** (Federal requirements preempt state.)

BPC 13480(d) - Motor fuel which is a mixture of gasoline and oil must have a conspicuously displayed label stating the gasoline to oil ratio.

BPC 13480(e) - Size requirements of all letters and numerals required by this section:

- ◆ Minimum 1/2" in height for all retail motor fuel dispensers and containers greater than one gallon.
- ◆ Minimum 1/4" in height and 1/16" stroke on all containers of one gallon or less.

BPC 13480(f) - Inapplicability of octane and SAE numbers to products sold for aviation purposes.

BPC 13480(g) - Limited application to thinners and solvents.

BPC 13481 - Petroleum products without brand, trademark, etc. Require words "No Brand".

BPC 13482 - American Petroleum Institute (API) Service Classification is required on motor oil and gear oil label.

BPC 13483 - The size of the letters on underground storage tank labels may be any convenient size but shall be plainly visible while the tank is being filled.

BPC 13484 - Dispensers used to serve two driveways must be labeled so that one set of labels is clearly visible from each driveway. Dispensers used to serve one driveway must be labeled on the side adjacent to such driveway.

BPC 13485 - Small hand measures - labels not required under certain conditions.

BPC 13486 - Filling of tanks, pumps, containers, etc., with, or delivery of, product other than indicated by brand, trademark, etc. Deliveries made with rebrand authorization are exempt.

BPC 13487 - Repealed 1988.

BPC 13488 - Repealed 1988.

BPC 13489 - Requirements for dispensers which blend different grades of gasoline for sale as a single combined product.

BPC 13490 - Requirements for dispensers which blend gasoline and motor oil (or premix) for sale as a single combined product (i.e., outboard motor fuel).

**California Business And Professions Code
Division 5, Chapter 15 – Automotive Products
Article 2 – Specifications And Labeling**

PURPOSE OF EACH SECTION

BPC 13710(a) - Minimum specifications of coolant and anti-freeze (includes pre-diluted and recycled).

BPC 13710(b) - Transmission fluid.

BPC 13710(c) - Brake fluid.

BPC 13710(d) - Requirement to provide documentation of claims.

BPC 13711 - Mislabeling.

BPC 13712 - Specific exemptions for brake fluid bleeders.

BPC 13713 - Adulterated products.

Article 9 - Labeling Requirements

EXAMPLES

Motor Fuel Dispenser

BPC 13480(a):

1. Brand, trademark, or trade name.
2. Grade designation (if any).
3. Product name (i.e., gasoline, diesel fuel, etc.).

BPC 13480(c) - If the product is automotive spark-ignition engine fuel, the minimum octane number or anti-knock index is required. **(Federal requirements preempt state; Federal octane decal is required.)**

Note: M-85 and M-100 methanol fuel are exempted from octane posting.



BPC 13484 - If dispenser serves two driveways, it must be labeled on two sides; if not, it must be labeled on the side next to the driveway it serves.

BPC 13480(e) - 1/2" minimum height of letters: containers greater than one gallon and motor fuel dispensers.

BPC 13481 - "No Brand" (if applicable).

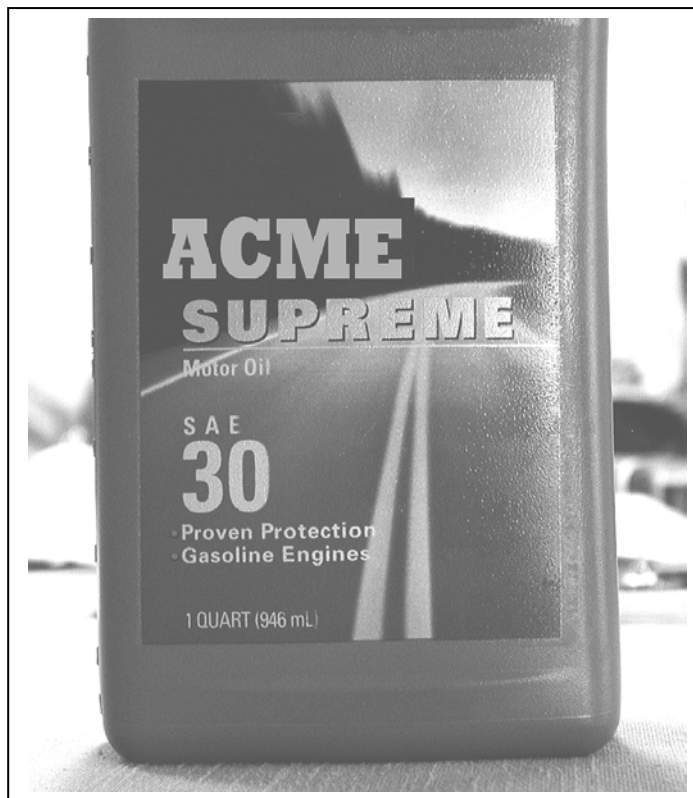
MOTOR OIL CONTAINER

BPC 13480(a):

1. Brand, trademark, or trade name
2. Product name (i.e., motor oil, engine oil, engine lubricant, lubricating oil).

BPC 13480(b) - SAE and viscosity number.

BPC 13480(e) - 1/4" minimum height and 1/16" minimum stroke: containers of one gallon or less.



BPC 13482 - API service classification required. (Title 4, Section 4150 requires API classification to be in letters not less than 1/8" in height).

BPC 13481 - "No Brand" (if applicable).



BPC 13482 - API service classification required. (Title 4, Section 4150 requires API classification to be in letters not less than 1/8" in height.)

NOTE: You may not find the standard API/SAE mark (Figure 2, below) on a packaged oil product due to newer standards being developed and a newer API "Starburst" logo (Figure 1, below) designating "type of service". The new logo designates the oil meets the latest (and thus all lower) oil specifications for the type of engine designated in the "starburst". This is acceptable.



Figure 1—API Certification Mark

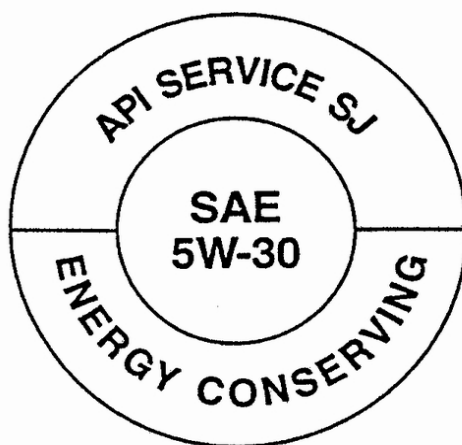


Figure 2—API Service Symbol

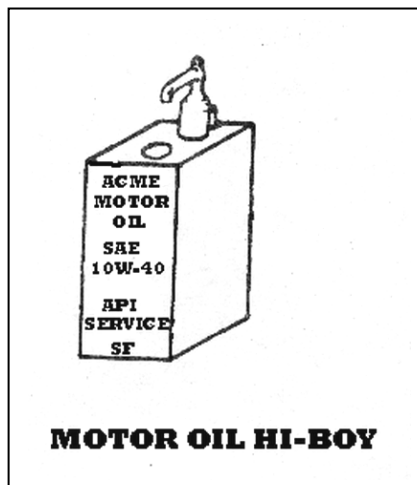
MOTOR OIL HI-BOY

BPC13480(a)

1. Brand, trademark, or trade name.
2. Product name.

BPC 13480(b) - SAE and viscosity number.

BPC 13480(e) – 1/2" minimum letter height on containers with a capacity of more than one gallon.



BPC 13482 - API service classification required. (Title 4, Section 4150: Minimum 1/8" high letters.)

BPC 13481 - "No Brand" (if applicable).

GEAR OIL DISPENSER

BPC 13480(a)

1. Brand, trademark, or trade name.
2. Product name.

BPC 13480(b) - SAE and viscosity number.

BPC 13480(e) - 1/2" minimum letter height on containers with a capacity of more than one gallon; less than one gallon must be at least 1/4" minimum letter height.



BPC 13482 - API service classification is required on gear oil or gear lubricant. (Title 4, Section 4150: Minimum 1/8" high letters.)

BPC 13481 - "No Brand" (if applicable).

STORAGE TANK FILL PIPE



STORAGE TANK INLET TAG

BPC 13480(a)

1. Brand, trademark, or trade name.
2. Grade designation
3. Product name.

BPC 13481 - "No Brand" (if applicable).

BPC 13483 - Letter size on tag or label. For inlet of storage tank, may be any convenient size but must be visible while tank is being filled.

STORAGE TANK INLET TAG (collar type)



Methanol Labeling Exemption - Section BPC 13480(c)



M-85 and M-100 dispensers are exempt from the octane/antiknock index labeling requirements.

The dispensers and storage tank inlets must be identified as "Methanol" for the product and either "M-85" or "M-100" for the grade designation.

M-85 and M-100 are American Society for Testing and Materials (ASTM) and industry accepted grade designations that indicate the percentage of methanol in the fuel.

M-85 = 85% methanol and 15% hydrocarbons.

BPC 13481 - "No Brand" (if applicable).

BPC 13490 - The use of a pump capable of withdrawing gasoline from one tank, and motor oil, or a known premixture of gasoline and motor oil, from another tank and dispensing as a single combined product, or withdrawing the gasoline alone, or the premixture alone.

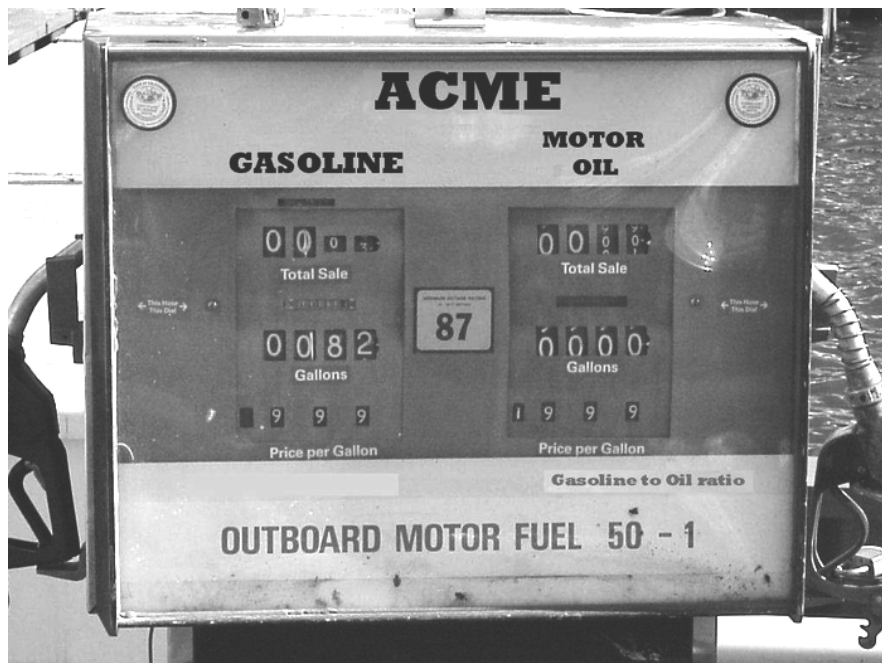
- (a) The device must accurately measure the products being dispensed, either combined or separate.
- (b) The device must accurately and visibly record and display:
 - (1) The ratio of gasoline to oil or premix, the quantity of each product dispensed, the price per gallon or liter for gasoline, the price per quart or liter for oil or premix;

OR

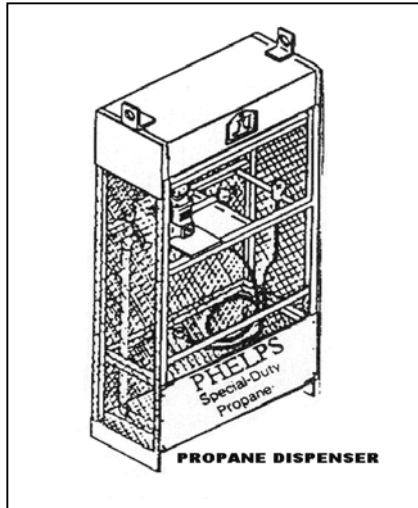
- (2) The ratio of gasoline to motor oil or premixture and the price per gallon or liter for the product dispensed.
- (c) The device mechanism prevents changing the ratio of gasoline to oil or premix during dispensing.

BPC 13480(a), (c), (d), (e), and 13483 also apply.

BPC 13481 - "No Brand" (if applicable).



Motor Vehicle Propane



Propane Pricing Schedule	
FOR MOTOR VEHICLE USE	
Total Price Per Gallon (includes all Federal and State taxes)	
\$1.39	
FOR BOTTLE USE (Price per gallon)	
0 to 5 gallons	\$1.39
6 to 10 gallons	\$1.35
10 to 20 gallons	\$1.30
21 gallons or more	\$1.25
plus State Sales Tax (7.75%)	

BPC 13480(a)

1. Brand, trademark, or trade name.
2. Grade designation.
3. Product - Propane.

BPC 13480(e) - 1/2" minimum height of letters: containers greater than one gallon and motor fuel dispensers.

BPC 13470, CCR 4002.4 - Price per gallon including all taxes must be posted. Minimum letter height shall be 3/4 inch.

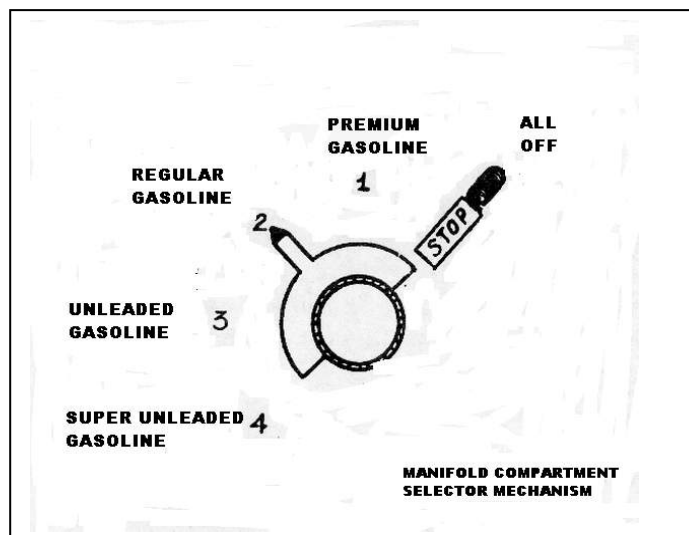
Article 10- Tank Vehicles

LABELING REQUIREMENTS

SELECTOR MECHANISM



BPC 13500(a)(b) - A metal tag, plate or label must display the name and grade of the product in letters not less than 1/2" in height, and must be attached to each outlet valve of each compartment. If the product is motor oil, the SAE viscosity shall also be displayed. If the gasoline is to be sold as unleaded gasoline, the grade shall contain a designation of "unleaded".



Chapter 15 - Automotive Products

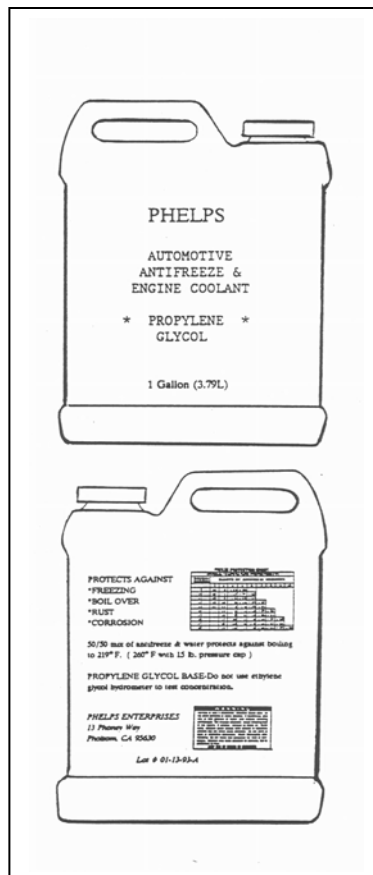
BPC 13711(a) - An engine coolant or antifreeze is mislabeled if any of the following occurs:

(1) The container does not bear the brand name, principal ingredient, intended application of the coolant or antifreeze, name and place of business of the manufacturer, packer, seller, or distributor, and an accurate statement of the quantity of the contents in terms of liquid measure.



(2) The container does not bear a chart showing appropriate amounts of engine coolant or antifreeze and water in terms of liquid measure to be used to provide protection from freezing at temperatures to at least 30 degrees below zero Fahrenheit. **(Does not apply to prediluted product.)**

(3) The container does not bear a statement showing the boiling point of a 50 percent by volume mixture of engine coolant or antifreeze and water in degrees Fahrenheit. **(Does not apply to prediluted product.)**



(4) The container is one quart or less and does not bear the words "engine coolant" or "antifreeze" in letters at least 1/8 inch high on the principal display panel. The container is greater than one quart and does not bear the words "engine coolant" or "antifreeze" in letters at least 1/4 inch high on the principal display panel.

(5) The principal ingredient is propylene glycol and the container does not bear a statement not to use an ethylene glycol hydrometer concentration tester for propylene glycol coolants.

(6) The container and carton do not bear a lot or batch number on the label identifying the container lot and date of packaging.

Antifreeze/Coolant. What separates **ACME** Antifreeze/Coolant from some other antifreezes is how well it protects against rust and corrosion that can accumulate in your cooling system and cause problems like radiator leaks, clogged thermostats and damaged water pumps. **ACME** Antifreeze/Coolant contains a patented anti-corrosion system which bonds to the metals in your cooling system to provide optimum corrosion protection. Used as directed, **ACME** Antifreeze/Coolant:

- Prevents freeze-ups
- Prevents overheating and boilovers
- Prevents rust and corrosion
- Protects aluminum and all other engine metals

Protection	Freeze-up Protection	Boilover Protection*	Corrosion Protection
Minimum 50% ACME 50% Water	-34 °F	+265 °F	Exceeds all ASTM and SAE standards for corrosion protection
Maximum 70% ACME 30% Water	-84 °F	+276 °F	

* Using a 15 lb. pressure cap

WARNING: Do not drink antifreeze or solution. If swallowed, do NOT induce vomiting. IMMEDIATELY contact a poison control center, emergency treatment center or physician. Ethylene glycol base. Avoid inhaling mist or hot vapors. If inhaled, remove to fresh air. Ethylene glycol causes birth defects in laboratory animals. Do not store in open or unlabeled containers. Wash thoroughly after handling. Solution is poisonous to animals.

Important! Safely Clean up any spills. Cap and store in original container.

BPC 13711(b) - Prediluted engine coolants and prediluted antifreezes are mislabeled if the following occurs:

(1) The container does not bear a label with the brand name, principal ingredient, intended application, name and place of business of the manufacturer, packer, seller, or distributor, and an accurate statement of the contents in terms of liquid measure.

(2) The container does not bear a statement showing the protection from freezing in degrees Fahrenheit.

(3) The container does not bear a statement showing the boiling point in degrees Fahrenheit.



(4) The container is one quart or less and does not bear the words "prediluted engine coolant" or "prediluted antifreeze" in letters at least 1/8 inch high on the principal display panel. The container is greater than one quart and does not bear the words "prediluted engine coolant" or "prediluted antifreeze" in letters at least 1/4 inch high on the principal display panel.

(5) The container is one quart or less and does not bear the words "DO NOT ADD WATER" in letters at least 1/8 inch high. The container is greater than one quart and does not bear the words "DO NOT ADD WATER" in letters at least 1/4 inch high.

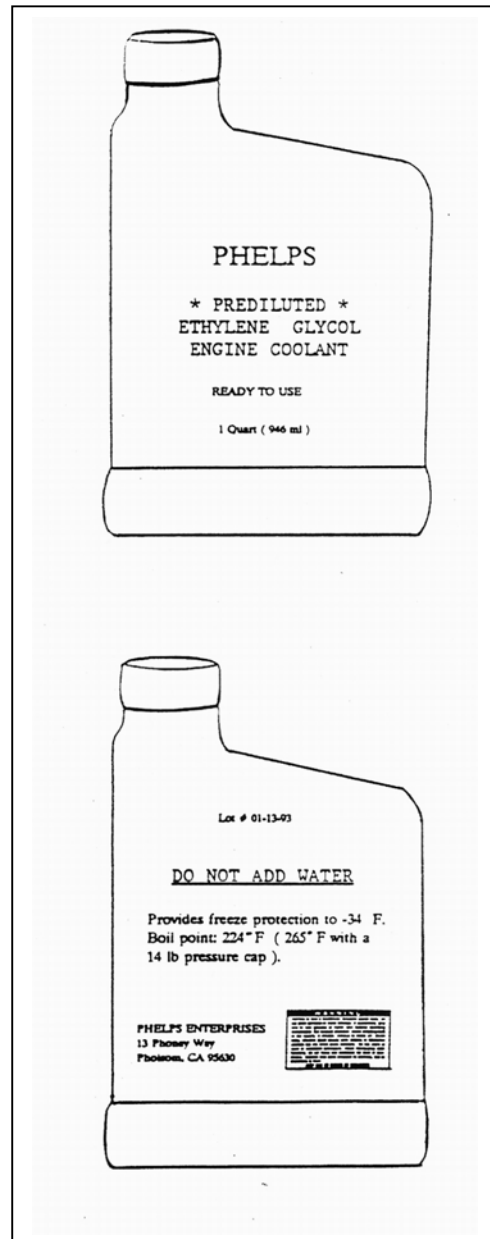
(6) The principal ingredient is propylene glycol and the container does not bear a statement not to use an ethylene glycol hydrometer concentration tester for propylene glycol coolants.

(7) The container and carton do not bear a lot or batch number on the label identifying the container lot and date of packaging.

CCR 4160 - Any engine coolant which has been granted a variance by the CDFA from the chloride standard shall bear the words "Recycled Engine Coolant" or "Recycled Prediluted Engine Coolant" in letters not less than 1/4 inch (containers greater than 1 quart) or 1/8 inch (containers 1 quart or less).

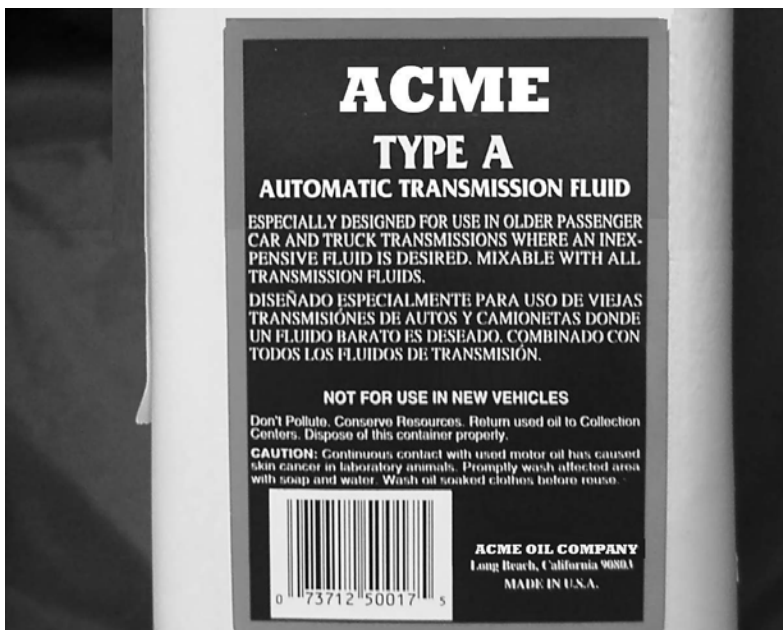
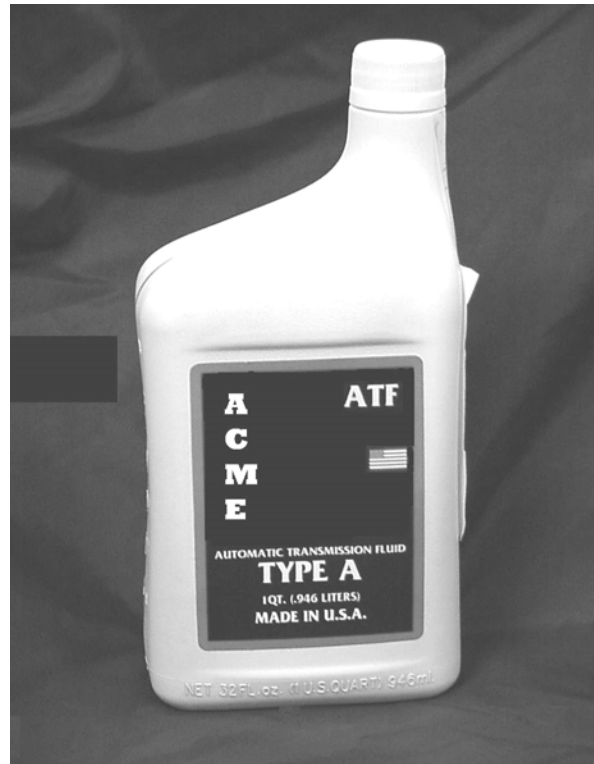
CCR 4168 - The CDFA may grant a variance from ASTM specifications if:

- (a) Chloride content is less than 150 ppm.
- (b) Meets all other regulations in **CCR 4161** or **CCR4162**.



BPC 13711(c) - Automatic transmission fluid shall be deemed mislabeled if any of the following occurs:

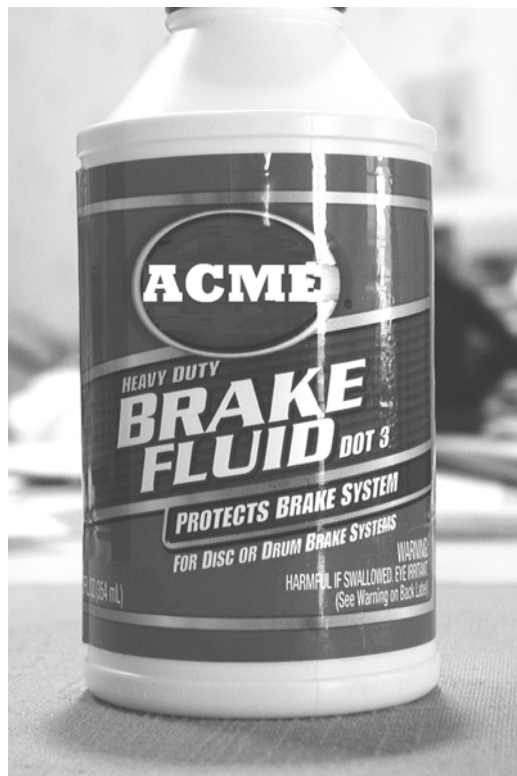
- (1) The container does not state on the top or side, the brand, name and place of business of the manufacturer or distributor, etc., and the words "Automatic Transmission Fluid and the duty type classification.
- (2) The container does not bear an accurate quantity statement.
- (3) The labeling is false or misleading.



BPC 13711(d) - Brake fluid is mislabeled if any of the following occurs:

- (1) The container does not bear a label that conforms to the requirements of the National Highway Traffic Safety Administration, United States Department of Transportation, and upon which is printed the brand name.
- (2) The container does not bear an accurate statement of the contents in terms of liquid measure.
- (3) The labeling on the container is false or misleading.

BPC 13712 - A brake fluid receptacle or dispensing device, including "bleeders", pressurized containers, or any container used to fill a brake system or to expel air from the system after servicing, are exempt from the container labeling requirements in this chapter except for designation of the contents as "**DOT Motor Vehicle Brake Fluid**" with the appropriate identification number filled in. The smallest letter and numeral shall not be less than 1/8" in height.



Article 3. Container Requirements

BPC 13720 - Each brake fluid container with a capacity of six fluid ounces or more shall be provided with a resealable closure that has an inner seal impervious to the packaged brake fluid. The container closure shall include a tamper-proof feature that will either be destroyed or substantially altered when the container closure is initially opened.

BPC 13731 - This section provides the Department and County Sealer the authority to order off sale mislabeled product in Business and Professions Code Chapter 15, Automotive Products.

BPC 13740 - Unlawful to sell or distribute mislabeled product.

BPC 13741 - Unlawful to make deceptive, false or misleading statements by any means whatever regarding quality, quantity, and performance.

PETROLEUM

ADVERTISING REQUIREMENTS

SECTION 2

PRICE SIGN ADVERTISING

Chapter 14, Petroleum, Article 12 pertains to requirements and limitations on price sign advertising for motor vehicle fuels and motor oils. The wording in the law is detailed and may not readily convey the meaning of each section.

This section is provided for convenient reference in explaining the requirements to a dealer or for use by an inspector. In some instances, a rewording of each section is made to show a dealer the actual purpose without the legal detail in the Business and Professions Code and California Code of Regulations that could be confusing. This can be supported by reference to the sections in Article 12 when necessary. The balance of this coverage includes descriptions and illustrations to show examples that can be followed to gain compliance.

BPC 13400 - Defines “**Advertising Medium**” to include banner, sign, placard, poster, streamer, and card.

CCR 4200 - Defines “**Advertising Medium**” to include banner, sign, placard, poster, streamer, and card, *whether or not mounted, whether appearing on the same or different standards, or whether or not physically connected with each other*, provided, the advertising statements **can reasonably be read as one advertising message**.

BPC 13401(c) - Defines “**Petroleum Products**” to mean gasoline (not the word gas), diesel fuel, liquefied petroleum gas (LPG) when used as a motor fuel, kerosene, thinner, solvent, liquefied natural gas (LNG), pressure appliance fuel, or white gasoline, or any oil represented as engine lubricant, engine oil, lubricating or motor oil, or any oil used to lubricate transmissions, gears, or axels.

- This definition should be understood and applied when interpreting code requirements dealing with dispenser/container labeling, and with applicable, advertising requirements.

BPC 13401(i) - Defines “**Motor Vehicle Fuel**” to mean any product intended for consumption in an internal combustion engine (such as gasoline, LNG, diesel) to produce power to self-propel a vehicle designed for transporting persons or **property on a public street or highway**.

- Red dyed diesel (tax exempt), commonly called Ag Fuel, is not intended for highway or public street use.
- Marinas and flightline fueling points do not fall under this section.
- Be aware of the intended use of the fuel and access provided to fueling vehicles.

BPC 13532(a) - States “Every person offering for sale or selling any motor vehicle fuel to the public...”shall display on the premises an advertising medium...”

- Since cardlock fueling points, warehouse clubs that sell fuel, and the like, restrict access by the motoring public they are not required to maintain an advertising medium.
- Dispenser and storage requirements must still be met.
- Any conditional pricing must be advertised.
- Marinas and flightline fueling points do not fall under this section.

Once any advertising is made at an exempt location then all requirements must be met.

Chapter 14 - Petroleum

Article 12 - Price Sign Advertising

BPC 13530(a) - Provides that the numerals on any gasoline price advertising sign must be identical in value with those displayed on the pump computer for the same product.

BPC 13530(b) - Provides that no explanation of trading stamp value is required on dispensing apparatus or elsewhere.

BPC 13531(a) - Requires all persons who sell motor vehicle fuel to the public from a place of business in this state to post a sign (**mandatory advertising medium**) indicating the prices of the three major (highest volume) grades of motor vehicle fuel sold (propane sales are exempt from this requirement). Such signs must be clearly visible from the street or highway adjacent to the station. In cases where the station is situated at an intersection, the sign would have to be visible to motorist on each street of the intersection.

BPC 13531(b) - Exempts businesses on scenic corridors from displaying prices.

BPC 13531(c)

- (1) Infraction violation explained; and
- (2) Misdemeanor violation explained.

BPC 13532(a) - All gasoline or other motor fuel price signs must include:

- (1) The total price per gallon or liter including all taxes.
- (2) The trademark or brand of the motor fuel.
- (3) The word "gasoline" or the name of the other motor fuel.
- (4) The grade designation of the motor fuel.
- (5) The word "liter" if the prices are advertised by the liter.

BPC 13532(b)

- (1) It is unlawful for any person to display an advertising medium that advertises a discount or price reduction for motor fuel, unless the advertising medium contains all the following:
 - (a) The price per gallon or liter from which the discount or price reduction is to be taken.
 - (b) The amount of the discount or price reduction in cents per gallon or liter using numerals which do not exceed the height of the numerals in the advertised price.
 - (c) The conditions of the discount or price reduction using words whose letters are not less than one-third the size of the price numerals.
- (2) Limitations of the discount.

- (3) A chart showing the amount of discount in one-cent increments shall be available for each customer's reference, or dispensers shall be set to compute the sale at the discounted price and shall be labeled "Includes Cash Discount" in letters not less than one inch in height.
- (4) The motor fuel shall be sold in the same unit of measure as the price and discount are advertised.

BPC 13532(c) - When the lower price is advertised, requires the advertising of each of the higher prices and conditions of sale of any grade of motor fuel sold at different prices.

BPC 13532(d) - Nothing in this section prohibits any person who has posted or displayed a sign or advertising medium in compliance with this chapter from displaying additional signs or advertising media which state either (1) the amount of discount in cents per gallon or liter, or (2) the price of one or more brands or grades of motor fuel sold or offered for sale, provided the conditions and any limitations of the discount or price of the brand or grade of motor fuel are included in the additional advertising media in letters not less than one-third the size of the numerals **indicating the discount or price**.

BPC 13533 - Requires motor oil signs which advertise a price to conspicuously identify the brand and product.

BPC 13534 - Additional Advertising Matter

Except as provided by subdivisions (b), (c), and (d) of Section BPC 13532, it is unlawful for any person to place any additional advertising matter on any advertising medium referred to in this article except:

- (a) A description of the products offered for sale in letters or numerals not larger than the price numerals.
- (b) Methods of sale, such as self-serve or full-serve, in letters no less than one-third the size of the price numerals.
- (c) Words describing the type of services offered at the place of business, such as food market, car wash, tune-up, and the registered trademark or trade name of the service, but not the price of the service.

BPC 13535 - Requires the use of the "No Brand" for fuels and oils that are advertised but have no brand designation.

BPC 13536 - Requires all letters and numerals to be of heavy stroke and color that is clearly visible against contrasting background and specifies height to width ratio of all letters and numerals except "I" and numeral one (1).

BPC 13540 - Allows counties and cities to establish sign ordinances.

BPC 13413 - Prohibits dissemination of deceptive, false, or misleading statements.

BASIC REQUIREMENTS FOR MOTOR FUEL PRICE SIGNS

BPC 13532(a)

VISIBLE SIGN		CHARACTER HEIGHT
BRAND		MINIMUM 1/3 (PPG)
GRADE		AT LEAST 1/6 (PPG)
PPG	PPG	BASE SIZE (PPG)
GRADE		AT LEAST 1/6 (PPG)
PPG	PPG	BASE SIZE (PPG)
GRADE		AT LEAST 1/6 (PPG)
PPG	PPG	BASE SIZE (PPG)
FUEL TYPE		MINIMUM 1/3 (PPG)

1. BRAND NAME - Minimum height-one-third the size of the price numerals.
2. The word "GASOLINE" or the name of other motor fuel is required on the sign. The letters must be not less than one-third the size of price numerals, but need not be larger than four inches in height.
3. GRADE not less than one-sixth size of price numerals – need not be more than four inches in height.
4. PRICE FIGURES - To be all of the same size and color and at least six inches in height. Fractions may be used if equal in size to one numeral.
5. "LITER" – Not less than one-third the size of the price numerals.

BPC 13531(a) - Requires the three major grades of motor fuel to be advertised.

BPC 13536 - Requires all letters, figures and numerals to be of a heavy stroke, a color that contrasts against the background, to be clearly visible, and the height may not exceed twice the width, except the letter "l" and the numeral one (1). **CCR 4202** states that if any advertising message is illuminated, the entire message shall be uniformly illuminated.

DISCOUNT ADVERTISING**BPC 13532(b)****LEGAL**

1. The sign must meet the requirements of **BPC 13532(a)**.
2. The posted price must be the price from which the discount is taken.
3. The advertising medium must show the amount of discount in cents per gallon or liter as applicable.
4. The height of the numerals indicating the discount shall not exceed the height of the price numerals.
5. The words explaining the conditions of the discount must be at least one-third the size of the numerals indicating the prices.
6. The gasoline or other motor fuel shall be sold in the same unit of measure (gallon or liter) in which the discount and price are advertised.
7. A chart showing the amount of discount in one-cent increments shall be available for each customer's reference or dispensers shall be dedicated to cash and credit prices.
8. The dispensers set to compute sales at the cash price shall be labeled "Includes Cash Discount" in letters not less than one inch in height.

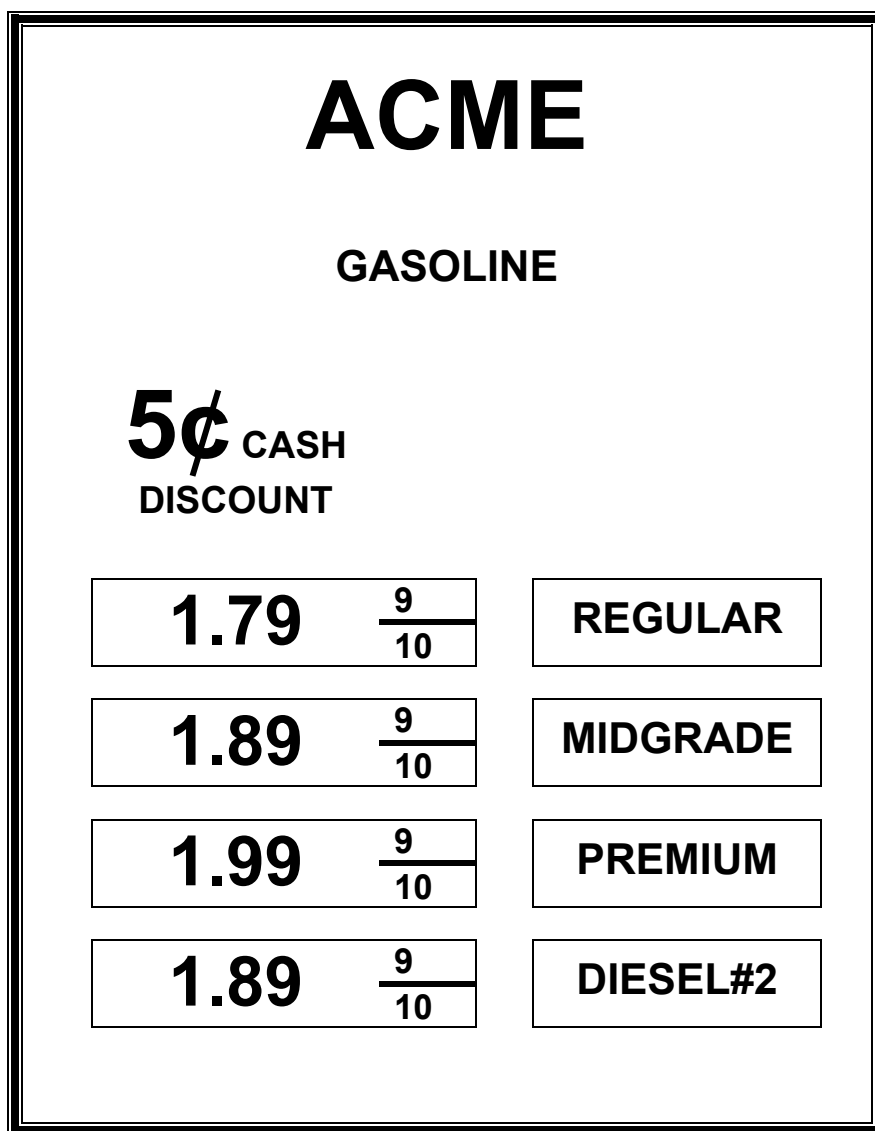
ACME	
GASOLINE	
LESS 5 CENTS PER GAL CASH	CREDIT PRICE
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="font-size: 1.5em; font-weight: bold;">1.79</div> <div style="font-size: 1.2em;"> $\frac{9}{10}$ </div> </div>	REGULAR
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="font-size: 1.5em; font-weight: bold;">1.89</div> <div style="font-size: 1.2em;"> $\frac{9}{10}$ </div> </div>	MIDGRADE
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="font-size: 1.5em; font-weight: bold;">1.99</div> <div style="font-size: 1.2em;"> $\frac{9}{10}$ </div> </div>	PREMIUM
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="font-size: 1.5em; font-weight: bold;">1.89</div> <div style="font-size: 1.2em;"> $\frac{9}{10}$ </div> </div>	DIESEL#2

THIS SIGN IS NOT ACCEPTABLE

BPC 13532(b)

ILLEGAL

1. The sign does not clearly indicate that the discount is to be deducted from the advertised price.
2. The advertising does not state the conditions for the discount.
3. The "5¢" is larger than the numerals indicating the prices.
4. The sign would not comply with BPC 13532(b) if displayed alone at a Self-Serve/Full-Serve location.

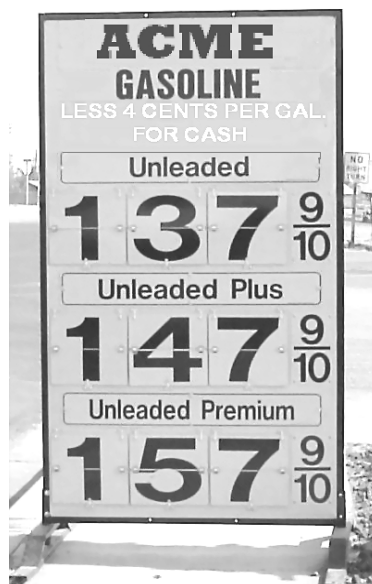


DISCOUNT ADVERTISING ADDITIONAL REQUIREMENTS DISPENSERS SET AT THE DISCOUNT PRICE

ADDITIONAL ADVERTISING

BPC 13532(b)(3)

Basic dispenser labeling requirements are found in Business and Professions Code Section 13480.



DISPENSER SET AT DISCOUNT

If dispensers are set to compute sales at the discount price, the dispenser shall be labeled "Includes Cash Discount" in letters not less than one inch in height.



BPC 13470 When a discount for cash is offered from a dispenser computing only at the credit price, at least one sign or label will be displayed on the dispenser that the dispenser is computing at the credit price and indicate the discount amount per gallon (or liter) in letters and numerals not less than 1/2 inch high.



**EXAMPLE OF A CHART OF DISCOUNTS
(5¢ per gallon)**

GALLONS		DISCOUNT
0.0	00.0	.00
0.1	00.2	.01
0.3	00.4	.02
0.5	00.6	.03
0.7	00.8	.04
0.9	01.0	.05
1.1	01.2	.06
18.7	18.8	.94
18.9	19.0	.95
19.1	19.2	.69
19.3	19.4	.97
19.5	19.6	.98
19.7	19.8	.99
19.9	20.0	1.00

BPC 13532(b)(3) – A chart showing the amount of the discount in one-cent increments is required if dispensers are not set to compute at the discount price. This chart must be available for each customer's reference.

Discounts

A discount is a reduction from the standard price. Discounts must express the amount of monetary reduction per unit of measure, the product and grade(s), and the condition/action necessary to receive the cost reduction. For example: **“Less 5 Cents per gallon on all grades of gasoline for cash”**.

Presenting the customer with a surcharge to use a credit card is illegal. **CA Civil Code Section 1748.1** states: “No retailer in any sales, service, or lease transaction with a consumer may impose a **surcharge** on a cardholder who elects to use a **credit card** in lieu of payment by cash, check, or similar means. A retailer may, however, offer discounts for the purpose of inducing payment by cash, check, or other means not involving the use of a **credit card**, provided that the discount is offered to all prospective buyers.

Advertising a discount does not require a station owner to post the different costs for the same product as long as BPC 13532(b) requirements are met. It is up to the customer to determine if they want to take advantage of the offer and what it will bring.

However, if a **PRICE is calculated by the seller** using the discount and the calculated price is advertised anywhere at the location (inside or outside) other measures must be taken by the seller and verified by the weights and measures official. Once a “lower price” is advertised the mandatory advertising medium **MUST** list the higher and lower prices for all three of the highest volume products sold and the conditions of sale for those prices. The advertising might not be the largest or tallest medium but it must be the **MANDATORY ADVERTISING MEDIUM** and **meet all the requirements of BPC 13531(a) and 13532(a)(c)**.

PRICE INDICATOR REQUIREMENTS

Example

When a price sign is displayed on a dispensing apparatus, whether as the principal indication of price or in addition to the price indicator, the content and letter/numeral size of the sign is specified by Article 8, Chapter 7, Title 4 of the California Code of Regulations.

BPC 13470 – No person shall sell any motor fuel unless there is displayed on the dispensing apparatus in a conspicuous place, at least one sign or price indicator showing the actual total price per gallon/liter of all motor fuel sold therefrom. The actual price per gallon/liter shall include all fuel and sales taxes.

BPC 13473 – All letters, figures or numerals on each sign required by this article shall be at least 3/4" in height and 1/8" in width stroke.

BPC 13474 – All letters, figures or numerals required by this article shall be plainly legible. The color tint shall contrast with the background and other parts of the sign.



CCR 4201 – In addition to the requirements of BPC 13470 and BPC 13480, any sign referring to the price of motor vehicle fuel displayed on a dispensing device is limited to:

- The actual price per gallon/liter.
- Conversion chart information for liter sales as required by **BPC 13470**.
- Brand Name and name of product may be displayed.

Note: **CCR-4201** permits, but does not mandate, the brand name of product to be displayed on these signs.

BASIC REQUIREMENTS FOR MULTI-PRICING MOTOR FUEL ADVERTISING



BPC 13532(c) – Brand name minimum one-third size of price numerals.

Price figures to be all the same size and color and at least six inches in height. Fractions or decimals may be used if equal in size to one numeral.

Words explaining the difference in price for the same grade to be a minimum of one-third the size of the price figures.

Grade at least one-sixth size of price numerals but need not be larger than four inches in height.

The prices must be advertised in the same form – either in gallons or in liters.

The word “Gasoline” at least one-third size of price numerals but need not be larger than four inches in height.

BPC 13536 – All letters, words, figures and numerals shall have a heavy type face or stroke, shall be clearly visible, shall be a color that contrasts with the background, and the height shall not exceed twice the width.

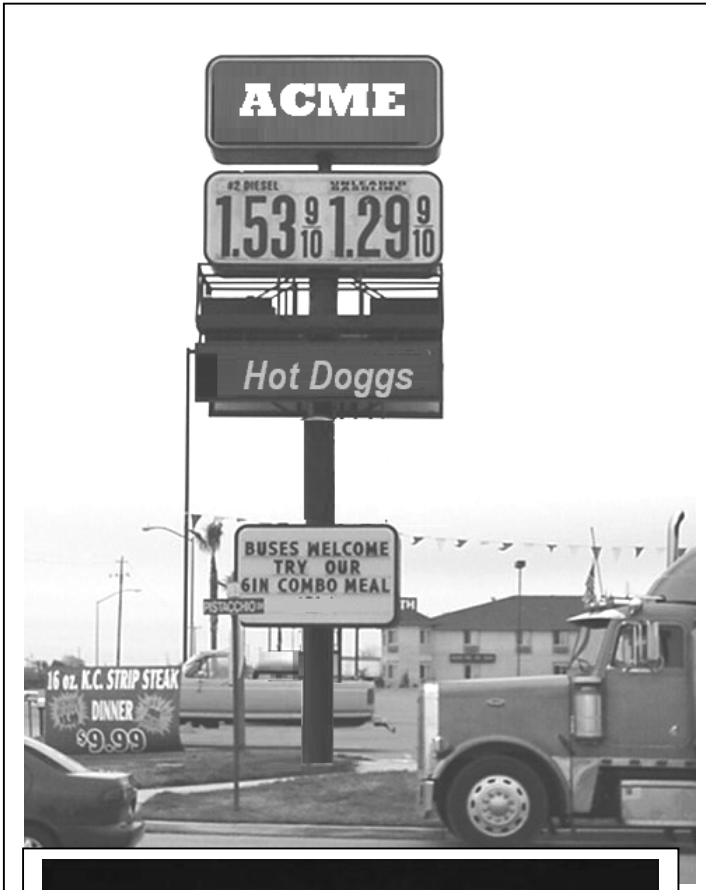
ADDITIONAL SIGNS

BPC 13532(d) – Provides that any person who has posted or displayed any sign or advertising medium that conforms to the requirements of Chapter 14, would not be prohibited from displaying any additional signs or advertising media that state the amount of the discount in cents per gallon or liter or the price of one or more brands or grades of motor fuel sold on the premises. Additionally, the conditions of the discount or price of the brand or grade of motor fuel is required in letters at least one-third the size of the numerals indicating the discount or prices.

ADDITIONAL SIGNS

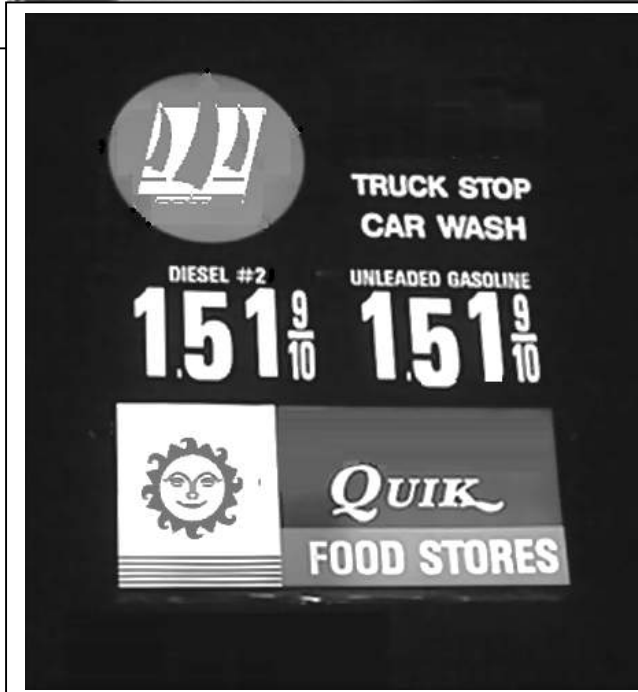
BPC 13532(d) – does not prohibit additional signs off the premises when a legal sign is displayed on the premises.

LEGAL



BPC 13532(a) – Requires that every price advertising sign show the word “Gasoline” or the name of the other motor fuel and the brand and grade of the product advertised for sale.

Make sure size requirements for both the product, such as *Gasoline* (1/3 PPG but need not be more than 4 inches) and grade, such as *Unleaded* (1/6 PPG but need not be more than 4 inches) are met. Product is sometimes combined into the *Grade* designation and is at the 1/6 size instead of 1/3 size. If letters are 4 inches than both size requirements are met.



ILLEGAL

Missing Grade, Brand, Tenths and Condition of Sale is not 1/3 size of PPG



Missing Brand and Product



ILLEGAL

Product Not Identified, Discount Not Specified



Brand Not Identified, Condition Smaller Than 1/3 PPG, Missing Tenths



SERVICE AND PRODUCTS ON A MOTOR FUEL/OIL ADVERTISING MEDIUM

BPC 13534 – Limits the additional advertising that can be placed on motor fuel or motor oil price signs to the following exceptions:

- Words of description of the products.
- The method of sale.
- Words describing the type of service offered, excluding prices.
- The registered trademark or trade name of the service.

BPC 13413 – Any other advertising message would have to be on a separate sign or advertising medium which should not be positioned in a manner that it could be read in conjunction with a motor fuel price sign creating a misleading message.

A rigid rule for this could not be established without detracting from the discretion of enforcement personnel in appraising the effect and impact of such signs. Apply this test, does the overall impression given to a motorist driving up to the station truly convey the price of the gasoline sold there without confusion and without requiring a second look?

BPC 13413 – Any sign that advertises gasoline or other motor fuel that is not actually sold at the place of business is illegal whether the price is included on the sign or not.

LEGAL

BPC 13532- The sign must meet requirements for price numeral, grade, and product requirements.

BPC 13534(b) – Words describing additional services available, excluding the price of the additional services.

BPC 13534(c) – Registered trademark or trade name associated with the additional service. Motor fuel pricing meets the requirements provided the brand –name is correct.



Method of sale (Self-Serve) is allowed. Minimum letter height is one-third the size of the price numerals.

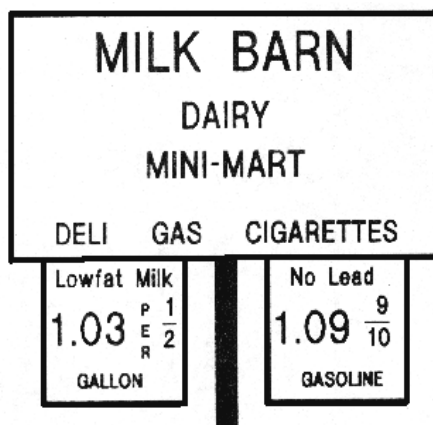
ILLEGAL

MOTOR FUEL PRICES ONLY

This example does not meet the requirements of several sections. Among the violations is: **BPC 13534(c)**. Price for service (certified scales) is listed and price for subs violates **BPC 13413(h)**.



BPC 13413(h) – No other prices allowed. Placement of milk price and gasoline price on same medium is misleading. Milk price could be mistaken as a motor fuel price.

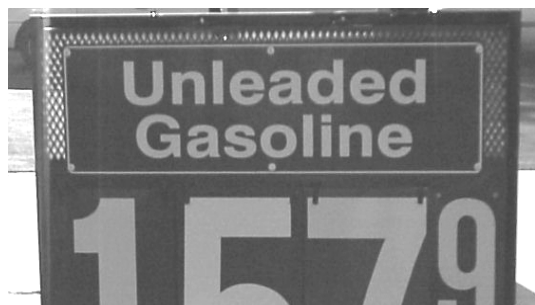


ILLEGAL

Cigarette Price Not Allowed.



Watch for Grade and Product lettering being the same size. It is alright if both are at least 4 inches, otherwise Product must be 1/3 the size price per gallon and the grade 1/6 the size of the price per gallon.



BASIC REQUIREMENTS FOR MOTOR OIL PRICE SIGNS

BPC 13533

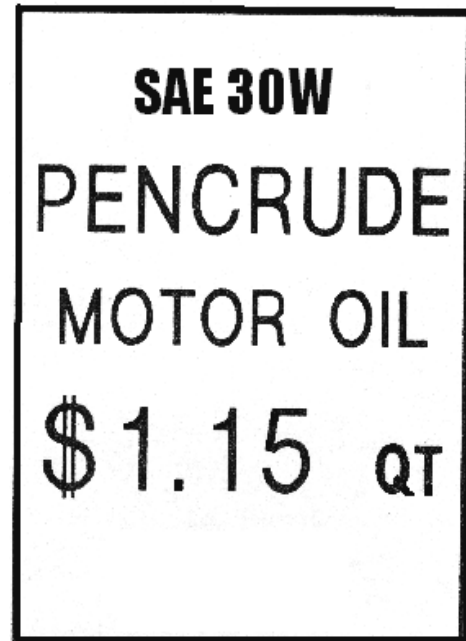
BRAND of the motor oil must be at least one-half the height of the price numerals.

PRODUCT name, such as "motor oil", must be at least one-half the height of the price numerals.

BPC 13480(b), 13482

Price sign must have **grade designation (SAE/API)**.

PRICE numerals may be of any convenient size.



ALL letters, words, figures, and numerals shall have a heavy typeface or stroke, be clearly visible and be a color that contrasts with the background. The height of the letters, words, figures, and numerals, except the letter "l" and the numeral one (1), shall not be more than twice the width.
BPC 13536

<p>SAE 30W</p> <p>SHOW ME STATE</p> <p>MOTOR OIL</p> <p>\$16.75</p> <p>PER CASE</p> <p>24 ONE QT. CANS</p>	<p>SAE 30W</p> <p>LOT-A-LUBE</p> <p>MOTOR OIL</p> <p>\$4.75</p> <p>2 GAL CAN</p>
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PETROLEUM

**INSPECTIONS AND
SAMPLING PROCEDURES**

SECTION 3

INSPECTION PROCEDURES OUTLINE

Weights and measures officials are to be familiar and knowledgeable of the laws and regulations as they apply to the petroleum industry. After the weights and measures official identifies themselves to the owner or manager and states the nature of their business, the following procedure outline should be followed. Use of the Petroleum Products Audit Report is encouraged to be used while doing a service station inspection.

1. Obtain the business name, address, and name of the owner/operator.
2. Check location and content of all price advertising signs. **BPC 13531/13532**
 - A. Check visibility of signs from adjacent street(s).
 - B. Check price numerals, brand or trademark, product, and grade.
 - C. Check conditions of sale, if any.
3. Check labeling on all petroleum product dispensers. **BPC 13474/13480**
 - A. Check price indicators on dispensers for agreement with price signs.
 - B. Check brand or trademark, product, and grade.
 - C. Check octane label.
4. Check fuel storage labeling. **BPC 13480(a)**
 - A. Check tag or label for brand or trademark, product, and grade.
 - B. Check to see if tag or label information agrees with advertising signs and fuel dispensers.
2. Check additional required signs. **BPC 13651/13660**
 - A. Check for "provision of air, water and pressure gauge".
 - B. Check for "refueling services to disabled drivers".
6. Observe and make notes of any opened and filled containers of automotive products (i.e., motor oil, automatic transmission fluid, and engine coolant), such as quart cans, labeled with various brand names. Consult with the State Petroleum Investigator on the advisability of making undercover purchases at that location.
7. If the inspector has reason to believe a product is contaminated or is suspect, a sample should be taken and submitted to their respective Division of Measurement Standards Petroleum Laboratory (Anaheim, Sacramento).
8. Any corrective action taken by the inspector should be based on the existing law. All necessary evidence such as photographs, drawings, samples, and statements should be obtained for any court action. Depending on judicial requirements in a particular court, it may be necessary to issue a Notice of Violation before the filing agency will accept a complaint. In any case, enforcement action taken should be handled in accordance with the guidelines established in the citation section.

These methods should help to gain uniform inspection procedures and ultimately improve compliance throughout the State. If any questions arise during the course of the inspection the local Liaison and Training Unit (LTU) representative should be contacted to gain necessary clarification.

STATE OF CALIFORNIA
DEPARTMENT OF FOOD AND AGRICULTURE
DIVISION OF MEASUREMENT STANDARDS
41-011 (Rev. 12/01)

PETROLEUM PRODUCTS AUDIT REPORT

DATE: / /

- ☐ CSA
☐ Follow-up
☐ Complaint
☐ Survey

ORIGINAL TO COUNTY/STATE
YELLOW TO OWNER/AGENT
PINK TO STATE
GOLD TO REGION/COUNTY

Business Name		Location Address		City	County	Telephone																																																												
Owners Name Mailing Address City State Zip Code																																																																		
<input type="checkbox"/> Service Station/C-Store <input type="checkbox"/> Quick Lube <input type="checkbox"/> Auto Repair <input type="checkbox"/> Auto Parts <input type="checkbox"/> Store <input type="checkbox"/> Other _____																																																																		
Petroleum Product Sampling				Article 8 & 9 - Price Indications & Labeling																																																														
<table><thead><tr><th>Product</th><th>Bulk</th><th>Prepackaged</th></tr></thead><tbody><tr><td>Gasoline</td><td>_____</td><td>_____</td></tr><tr><td>Diesel</td><td>_____</td><td>_____</td></tr><tr><td>Motor Oil</td><td>_____</td><td>_____</td></tr><tr><td>Brake Fluid</td><td>_____</td><td>_____</td></tr><tr><td>Coolant</td><td>_____</td><td>_____</td></tr><tr><td>Prediluted Coolant</td><td>_____</td><td>_____</td></tr><tr><td>ATF</td><td>_____</td><td>_____</td></tr><tr><td>_____</td><td>_____</td><td>_____</td></tr><tr><td>_____</td><td>_____</td><td>_____</td></tr></tbody></table>				Product	Bulk	Prepackaged	Gasoline	_____	_____	Diesel	_____	_____	Motor Oil	_____	_____	Brake Fluid	_____	_____	Coolant	_____	_____	Prediluted Coolant	_____	_____	ATF	_____	_____	_____	_____	_____	_____	_____	_____	<table><tbody><tr><td>1. Deceptive, False, or Misleading</td><td>13413</td><td>_____</td></tr><tr><td>2. Price per Gallon on Dispenser</td><td>13470</td><td>_____</td></tr><tr><td>3. Placement of Signs on Dispensers</td><td>13471</td><td>_____</td></tr><tr><td>4. Letter Size on Dispenser</td><td>13473</td><td>_____</td></tr><tr><td>5. Legibility of Labels</td><td>13474</td><td>_____</td></tr><tr><td>6. Labeling Requirements for Dispensers</td><td>13480(a)</td><td>_____</td></tr><tr><td>7. Posting Octane on Dispenser</td><td>13480(c)</td><td>_____</td></tr><tr><td>8. Premix Motor Fuel</td><td>13480(d)</td><td>_____</td></tr><tr><td>9.</td><td>_____</td><td>_____</td></tr><tr><td>10.</td><td>_____</td><td>_____</td></tr></tbody></table>			1. Deceptive, False, or Misleading	13413	_____	2. Price per Gallon on Dispenser	13470	_____	3. Placement of Signs on Dispensers	13471	_____	4. Letter Size on Dispenser	13473	_____	5. Legibility of Labels	13474	_____	6. Labeling Requirements for Dispensers	13480(a)	_____	7. Posting Octane on Dispenser	13480(c)	_____	8. Premix Motor Fuel	13480(d)	_____	9.	_____	_____	10.	_____	_____
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SAMPLING PROCEDURES

In general, these instructions apply to all products within the scope of the petroleum laboratory testing and analysis activities. Minor variations in handling occur in types of products to be sampled.

Extreme care and good judgement are necessary to ensure samples obtained are a true representation of the product being sold. As most petroleum vapors are toxic and flammable, avoid breathing them or igniting them from an open flame or a spark produced by static electricity. Follow all safety precautions specific to the material being sampled.

It is necessary to protect all volatile samples of petroleum and petroleum products from evaporation. Transfer the product from the sampling apparatus to the sample container immediately. Keep the container closed except when material is transferred. Never completely fill a sample container; always allow adequate room for expansion. The container should be filled to 80 to 85 percent of container capacity. To prevent the loss of liquid and vapors during transport, SCREW THE CAPS OF CONTAINERS DOWN TIGHTLY and CHECK FOR LEAKAGE. Complete the Petroleum Products Sample Tag (41-008) and seal the containers immediately after the sample has been obtained.

California Business and Professions Code, Division 5, Chapter 14, Section 13592, gives you the authority to inspect and sample petroleum products referred to in that chapter.

13592. The department, each sealer, and any person now or hereafter authorized or empowered by law to inspect the petroleum products referred to in this chapter, may take such sample or samples as may be necessary of any petroleum or petroleum product kept or stored for the purpose of sale.

California Business and Professions Code, Division 5, Chapter 15, Section 13730, gives you the authority to sample automotive products referred to in that chapter.

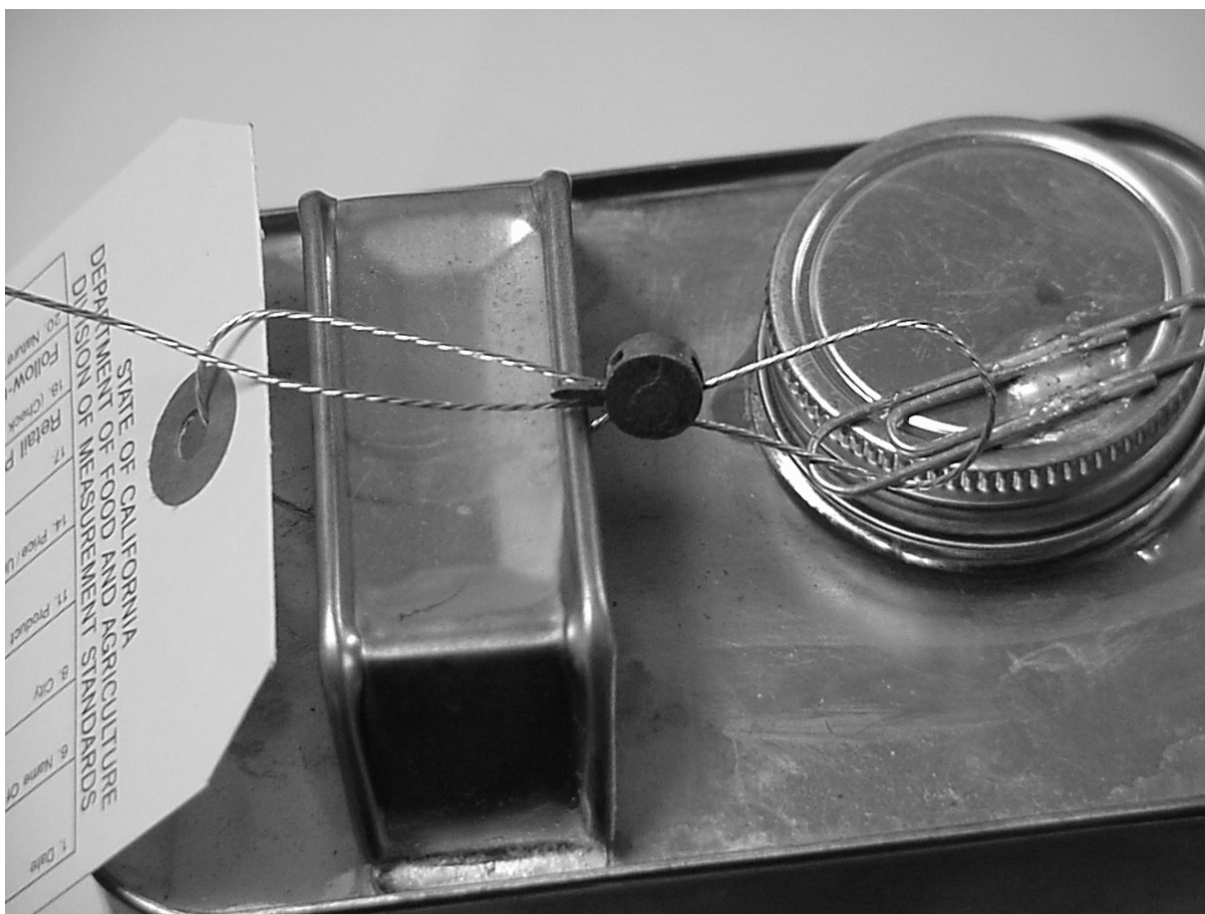
13730. The department and each county sealer shall enforce the provisions of this chapter, and may sample, inspect, analyze, and test any product referred to in this chapter manufactured, packed, stored, sold or distributed within this State. The department, through its agents, has free access by all legal means during business hours to all premises, buildings, vehicles, cars, and vessels used in the manufacture, packing, storage, sale, or transportation of, and may, by legal means, open any box, carton, parcel, or container of, any product referred to in this chapter and take therefrom samples for analysis or for evidence.

TAKING OF SAMPLES

1. Use a sample container, which is clean, dry, and free from visible contamination.
2. Size of sample:
 - A. Gasoline - One-half gallon
 - B. Motor Oils - One quart
 - C. Brake fluids:
 - (1) Factory-sealed container - 12 fluid ounces
 - (2) In-use container - 8 fluid ounces
 - D. Gear oils/lubes - One quart
 - E. Diesel fuel - One-half gallon
 - F. Kerosene - One-half gallon
 - G. Automatic Transmission Fluids – One quart
 - H. Antifreeze, Coolant, Pre-diluted Coolant, Recycled Coolant – Use only one quart glass bottle provided by the State Petroleum Laboratory
3. Submit only samples taken by authorized personnel.
4. Pay for sample if a request is made.
5. DO NOT TAKE A SAMPLE FROM PRIVATE STORAGE, VEHICLE FUEL TANKS, ETC. Neither the County nor the Division can attest to such sample as being truly representative of the product, which has been sold.

SEALING CONTAINERS

METAL CONTAINERS: The top opening of the metal container shall be closed with a screw cap. The closure shall be sealed with a lead-and-wire seal. A lead-and-wire seal shall be attached, using the figure eight lacing method, as shown below. After the figure eight has been completed, pull the wire tight across the handle and the screw cap to ensure that the screw cap cannot become loose. Crimp the lead with the sealing pliers and remove the loose end of the wire.



Petroleum products sample tag (41-008) shall be attached to sample container handle side of the lead-and-wire circuit.

NOTE: *Seals are attached in this manner so that the wire may be cut to permit removal of the screw cap and subsequent laboratory analysis while the Petroleum Products Sample Tag will remain permanently affixed to the sample container.*

All slack shall be removed from the lead-and-wire circuit and the screw cap shall be checked to ensure that it will not become loose and permit leakage of the contents before **pressing** the seal. Check screw cap for tightness by inverting the sample container to ensure that there are no leaks. If a leak occurs exchange the sample container screw cap with another screw cap.

SEALING PROCESS



(1) Thread the wire seal through the front side of the filled tag. The lead slug should be at the front side.



(2) Feed the seal wire under the sample can handle from the farthest side from the lid.



(3) Return the seal wire back towards the lead seal, feeding the wire through the hole in the seal at the tag front. Pull through.



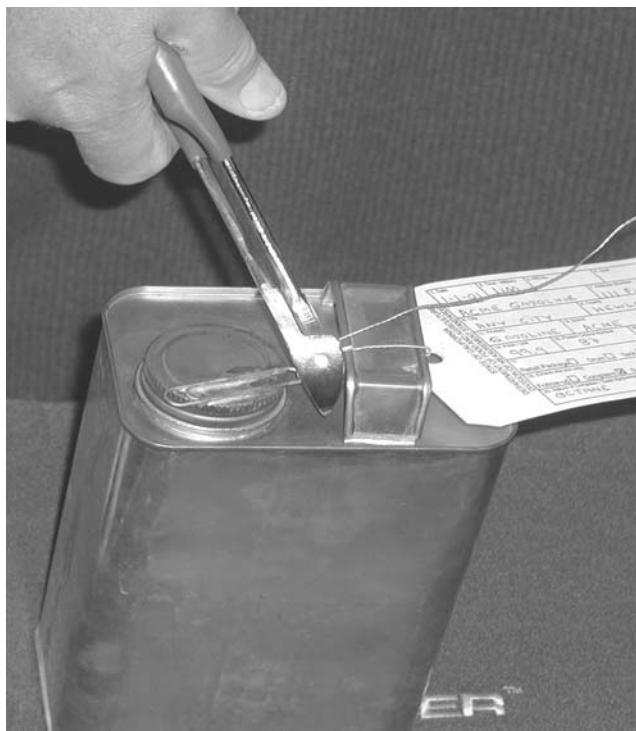
(4) Slide the lead seal and tag as near to the clip that is attached to the sample can lid. Make sure the tag can be read as shown.



(5) Thread the wire seal under and through the clip closest to the handle. Make sure the lead seal is on the side of the handle close to the clip.



(6) Feed the seal wire through the wire seal and pull taut away from the clip and seal. Once taut you can pull the wire up back towards the seal and bend the wire.



(7) Crimp the lead seal and cut off the excess wire as close to the seal as possible. Check for "burrs" that could cut or tear flesh of individuals handling the samples.

(8) Final checks:

Try to open (fully remove) the lid.

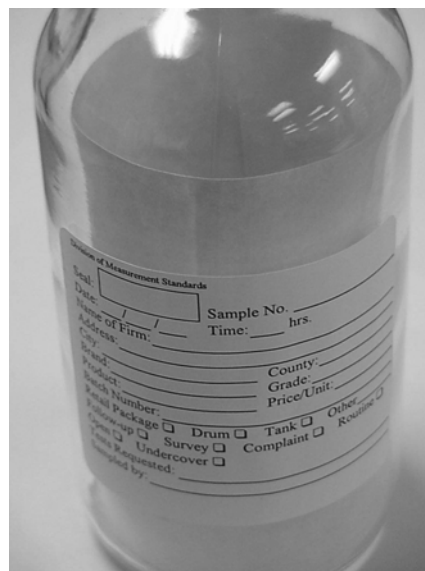
See if by sliding the tag on the handle the lid can be opened.

Make sure the lid is tight. Turn the can upside down and look for leakage.

If the can leaks then remove the current lid, inspect the can spout lip and try another lid.

Reseal following the sequence for sealing a sample can.

GLASS CONTAINERS: The top of the glass container shall be closed with a screw cap. The closure shall be sealed with a security seal. The security seal shall be attached as shown below.



An adhesive Petroleum Products Sample Tag shall be attached to the glass sample container on both sides of the container (identification of sample on front side and chain of possession on back-side). The security seal shall be affixed over the top of the screw cap and down each side of the glass container. Prior to placing the labels on the glass container it may be necessary to wash down the outer surface and dry prior to adhering the security seal.

MOTOR FUEL DISPENSER SAMPLING PROCEDURE

Obtain sample through the discharge nozzle of the dispenser in question.

1. Water and/or Sediment Contamination of Gasoline

Example – No Water/Sediment Visible in Sample

Draw enough gasoline to fill a clean sample can from the dispenser in question to allow for complete viewing of the sample. If the sample appears clear, continue to fill from the same dispenser, close tightly, complete the Petroleum Products Sample Tag, and seal. Indicate on the Petroleum Products Sample Tag (section 20) to test for water and/or sediment.

Example – Visible Water/Sediment in Sample

Draw enough gasoline to fill a clean sample can or beaker from the dispenser in question to allow for complete viewing of the sample. Allow the sample in the can or beaker to settle, approximately 10 minutes. If the sample appears cloudy and/or has sediment in it, check the sample for water by applying a water/alcohol indicating paste (Sar-Gel) on a screwdriver or like instrument. **DO NOT SEND THIS SAMPLE TO THE LAB.** If there are visible water droplets/globules at the bottom of the can or beaker or a dramatic color change to PURPLE OR RED of the paste indicates a positive test, it will be necessary to immediately remove the product from sale. Take a second and third sample and place into 1/2-gallon sample can, close tightly, complete the Petroleum Products Sample Tag, and seal. Indicate on the Petroleum Products Sample Tag (section 20) to test for water and/or sediment.

NOTE: When water/sediment is found in a BLENDED 89 octane product, the 87 octane and 92 octane products should be checked to determine which product may be contaminated.

NOTE: On SECOND sample place the words "RED TAG" in both the REMARKS section and in the front upper left corner of the Petroleum Products Sample Tag. On THIRD sample place the words "RED TAG DUPLICATE" in both the REMARKS section and in the front upper left corner of the Petroleum Products Sample Tag.

Apply a water/alcohol indicating paste (Sar-Gel) on the storage tank measuring stick and check the volume of water in the storage tank. Make a record of the depth of water and gasoline if you get a positive reading.

Seal all dispensers and the storage tanks exhibiting a water/sediment condition with a condemned product tag (41-052).

Request a printout from the Environmental Monitoring, Automatic Storage Tank Information System. This provides the quantity in gallons and the linear level of the water contained in the storage tanks.

2. Diesel Contamination of Gasoline

- A. Draw a 1/2-gallon sample of the gasoline from the dispenser in question.
- B. Tightly close the sample container, complete the Petroleum Products Sample Tag, and seal. Indicate on the Petroleum Products Sample Tag (section 20) to test for diesel contamination.

3. Octane Verification of Gasoline

NOTE: *When obtaining a sample from a single nozzle blending dispenser, purge the nozzle and hose with a minimum of six-tenths (0.6) gallon (**longer delivery hoses may require additional liquid purge**) before attempting to acquire the sample. This will allow a true representative of the fuel to be tested. Additional liquid purge may be delivered to a vehicle fuel tank, providing not over two (2) gallons are purged.*

- A. Draw a 1/2-gallon sample of the gasoline from the dispenser in question.
- B. Tightly close the sample container, complete the Petroleum Products Sample Tag, and seal. Indicate on the Petroleum Products Sample Tag (section 20) to test for octane. Record the posted octane on the sample label (section 15).

4. Gasoline Contaminated Diesel Fuel

- A. Draw a 1/2-gallon sample of the diesel fuel from the dispenser in question.
- B. Close tightly, complete the Petroleum Products Sample Tag, and seal. Indicate to test for flash point and possible gasoline contamination.

Identifying Samples

Petroleum Products Sample Tag (41-008) shall be completed for each Gasoline, Diesel, Motor Oil Brake Fluid, Automatic Transmission Fluid, Pre-packaged Coolant/Anti-Freeze and Gear Oil/Lube sample and affix to the sample container. See instructions for completing the Petroleum Products Sample Tag in this section.

STATE OF CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE DIVISION OF MEASUREMENT STANDARDS	1. Date		2. Time - Military		3. IRS No.		4. Seal		5. Sample No.	
	6. Name of Firm					7. Address (Number - Street)				
	8. City					9. County			10. Zip Code	
	11. Product			12. Brand			13. Grade			
	14. Price / Unit		15. Posted Octane Number			16. Batch or Lot Number				
	17. Retail Package <input type="checkbox"/> Drum <input type="checkbox"/> Tank <input type="checkbox"/> Dispenser <input type="checkbox"/> Other <input type="checkbox"/>									
	18. (Check one box only) Follow-up <input type="checkbox"/> Complaint <input type="checkbox"/> Survey <input type="checkbox"/> Routine <input type="checkbox"/> Other <input type="checkbox"/> Under Cover <input type="checkbox"/>									
	20. Nature of Complaint / Tests Requested					21. Sample Obtained By				

CHAIN OF POSSESSION							
22. From	23. Agency	24. To	25. Agency	26. Date	27. Time-Military	28. Seal Cond.	
Remarks:						Single Hose Delivery <input type="checkbox"/> Blender <input type="checkbox"/>	

This tag documents the collection of evidence and could be challenged in a court case. It must be correct and legible. Fill it out prior to attaching it to the evidence sample.

The **adhesive Bulk/Antifreeze Sample Tag** shall be completed for each bulk Antifreeze, Coolant and Pre-diluted Coolant sample and permanently affixed to the **glass sample container**. See instructions for completing the Petroleum Products Sample Tag and for the bulk/antifreeze sample tag in this section.

Division of Measurement Standards		Chain of Possession																																							
Seal: 	Sample No. _____																																								
Date: ____/____/____	Time: ____ hrs.																																								
Name of Firm: _____																																									
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From:	To:	Date:	Time Military	Seal Cond																																					
		Remarks: _____ _____																																							

Note: Avoid using this label on pre-packaged products since it may obscure labeling information that must be inspected for Business and Professions Code requirements.

The **Security Seal**, shown below, is to be used on all glass bottles to seal the screw top to the glass container. When the seal is removed from the screw top and container a remnant mark is left on the surfaces as evidence of the original seal integrity or proof of tampering.

The number next to the bar code is identical to the number adjacent to the right of the tag. This number is to be removed from the tag and placed on the Petroleum Products Sample tag in the area identified as **SEAL**.



Motor fuel samples shall be shipped to the Sacramento and/or Anaheim Petroleum Laboratories if delivery by state or county personnel is not practical. No special trips shall be made solely to deliver samples to the laboratories unless a problem is known to exist which requires action with a minimum time delay.

Timeliness of Samples

A sample that fails to arrive at the laboratory within 2 days for analysis is usually of little value in preventing low octane, low flash diesel or contaminated motor fuel from being sold to the public. This is primarily due to the fast turnover of dealers' inventories in today's market.

PETROLEUM PRODUCTS SAMPLE TAG INSTRUCTIONS

- Section 1. DATE - Enter the date the sample was obtained. The date should be expressed as the month, day of the month, and year (i.e., 12-24-00).
- Section 2. TIME-MILITARY - Enter the exact time (military) that the sample was obtained (i.e., 0930).
- Section 3. IRS NO. - Do not enter information into this field, leave blank.
- Section 4. SEAL - **Use this block only if a tag HAD to be used with a glass container.** Place the "Security Seal" number obtained from the "Security Seal" used to seal the glass sample container.
- Section 5. SAMPLE NO. - This space will be left blank by the officer obtaining the sample. It will be completed by the Division laboratory personnel.

STATE OF CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE DIVISION OF MEASUREMENT STANDARDS	1. Date		2. Time - Military		3. IRS No.		4. Seal		5. Sample No.	
	6. Name of Firm					7. Address (Number - Street)				
	8. City				9. County				10. Zip Code	
	11. Product			12. Brand				13. Grade		
	14. Price / Unit		15. Posted Octane Number			16. Batch or Lot Number				
	17 Retail Package <input type="checkbox"/> Drum <input type="checkbox"/> Tank <input type="checkbox"/> Dispenser _____ Other _____									
	18. (Check one box only) Follow-up <input type="checkbox"/> Complaint <input type="checkbox"/> Survey <input type="checkbox"/> Routine <input type="checkbox"/> Other <input type="checkbox"/> Under Cover <input type="checkbox"/>						19.			
	20. Nature of Complaint / Tests Requested					21. Sample Obtained By				

- Section 6. NAME OF FIRM - Enter the name of business, organization, or public agency from where the sample was obtained:
- A. If you are in doubt as to who is the responsible party, check the city, county or State Board of Equalization license posted on the premises.
 - B. If a firm, corporation or other legal entity, the name of the organization should be shown in capital letters in this space.
 - C. If an individual, the full name should be shown in the sequence indicated (i.e., last name - in capitals, first name, middle name).

Section 7. ADDRESS (NUMBER-STREET) - Enter the specific Street number and Street name of location where the sample was obtained. It may be described in any of the following methods:

A. Street number, street name. **Example** 525 S. Foothill Drive

B. In rural areas or other places where street addresses are not used, the location should be described with reference to cross streets, known landmarks, highway markers, or other fixed points.

Section 8. CITY - Enter the city where the sample was obtained.

Section 9. COUNTY - Enter the county name or number (as listed in this section).

Section 10. ZIP CODE - Enter the zip code of the firm's location.

Section 11. PRODUCT - Enter the name of the petroleum product sampled (i.e., gasoline, kerosene, burner oil, diesel, motor oil, engine coolant, pre-diluted engine coolant automatic transmission fluid, brake fluid, etc.).

Section 12. BRAND - Enter the brand name of the sample as shown on the container, dispense, etc. If told by someone that it is a particular brand, show "alleged _____". If no brand, show "NOT-BRANDED".

Section 13. GRADE - Enter the grade of the petroleum product sampled. **For example:**

- ◆ Regular, unleaded, premium (type of gasoline)
- ◆ Dot 3, 4, or 5 (type of brake fluid)
- ◆ No. 1 (type of burner oil)
- ◆ No. 1 or 2 (type of diesel)
- ◆ SAE rating (type of motor or gear oil)
- ◆ Dexron II, Type A (ATF)

Section 14. PRICE/UNIT - Enter the advertised, posted, or represented selling price of the sample per unit. **For Example:** \$1.789/gal.; \$0.89/qt.; \$1.09/pt.

Section 15. POSTED OCTANE NUMBER - Enter the posted octane number of the gasoline advertised, posted, or represented. If the product sampled is not gasoline, write in N/A.

Section 16. BATCH OR LOT NUMBER - Enter the batch number, lot number, etc., of the sample if it is available.

Section 17. SAMPLE TAKEN FROM - Place a check mark into the box that best represents the containing vessel from which the sample was obtained (i.e., retail package, drum, tank, dispenser number, other-describe).

Section 18. REASON FOR SAMPLE - Place a check mark into the box that best represents the reason for obtaining the sample.

- ◆ **FOLLOW-UP** Obtained after initial sample, from same dispenser
- ◆ **COMPLAINT** Obtained from a specific dispenser after a consumer complaint
- ◆ **SURVEY** Obtained during a specific sampling program
- ◆ **ROUTINE** Obtained as an initial sample during regular work activities

Section 19. CONDITIONS OF OBTAINING SAMPLE - Place a check mark into the box that identifies that the sample was obtained while “undercover” or “open”.

Section 20. NATURE OF COMPLAINT/TEST(S) REQUESTED - If the sample is the result of a complaint, briefly describe it here. Enter any test(s), which you want the petroleum laboratory to perform.

List of appropriate tests:

OCT	Octane
W	Water
S	Sediment
DIST	Distillation
FLASH	Flash Point
Viscosity	Oil Thickness
Neut	SA Oil Only

Section 21. SAMPLE OBTAINED BY - The officer who obtained the sample and is completing the petroleum sample tag should place their legible name in this box.

CHAIN OF POSSESSION

NOTE: Each time the possession of a sample is transferred from one person to another, an entry SHALL BE MADE. The entries must be legible and complete. The individual assuming custody of the sample determines the seal condition.

CHAIN OF POSSESSION						
22. From	23. Agency	24. To	25. Agency	26. Date	27. Time—Military	28. Seal Cond.

Remarks:

Single Hose Delivery ☐ Blender ☐

Section 22. FROM - The officer releasing possession of a sample will sign their last name in this box.

Section 23. AGENCY - The officer releasing the sample shall place their agency code in this box.

A. Division of Measurement Standards – 00

B. Counties use their County Number (referenced on Page 7-21)

Section 24. TO - The officer receiving possession of a sample will sign their last name in this box.

Section 25. AGENCY - The officer receiving the sample shall place their agency code in this box.

A. Division of Measurement Standards – 00

B. Counties use their County Number (referenced on Page 7-21)

Section 26. DATE - Enter the date the sample was transferred. The date shall be expressed as the month, day of the month, and year (i.e., 12-24-30).

Section 27. TIME-MILITARY - Enter the exact military time that the sample was obtained/transferred (i.e., 0930 = 9:30 AM, 1330 = 1:30 PM).

Section 28. SEAL CONDITION - The officer receiving the sample shall indicate the condition of the seal ("OK", "Broken", etc.).

Section 29. REMARKS - Enter any remarks that will assist the Laboratory in making the necessary tests to the sample. Describe the amount of product purged prior to taking sample, additional labeling information on dispenser, cross street of location, etc.

Section 30. SINGLE HOSE DELIVERY - Check this box if the hose delivers the product through a single hose/nozzle configuration. Each grade of product must be directly connected to the individual storage tank containing that grade of product. **No Purge Required.**

If multiple products are delivered through one hose a minimum of approximately 6/10 gallon of the selected product must be purged.

Section 31. BLENDER - Check this block if the hose is a "BLENDER" type providing multiple grades of product through either a mechanical or electrical blend valve located within the dispenser housing. This may be either a single hose/nozzle or multiple hose/nozzle configuration. **Purge required if multiple products delivered through one hose.**

BULK/ANTIFREEZE SAMPLE TAG

INSTRUCTIONS

SEAL Place the "Security Seal" number obtained from the "Security Seal" used to seal the sample glass container.

SAMPLE NO. This space will be left blank by the officer obtaining the sample. It will be completed by the Division laboratory personnel.

DATE Enter the date the sample was obtained. The date should be expressed as the month, day of the month, and year (i.e., 12-24-00).

TIME-MILITARY Enter the exact military time that the sample was obtained (i.e., 0930 = 9:30 AM, 1345 = 1:45 PM).

NAME OF FIRM Enter the name of business, organization, or public agency from where the sample was obtained:

- A. If you are in doubt as to who is the responsible party, check the city, county or State Board of Equalization license posted on the premises.
- B. If a firm, corporation or other legal entity, the name of the organization shall be identified in capital letters in this space.
- C. If an individual, the full name should be shown in the sequence indicated (i.e., last name - in capitals, first name, middle name).

Division of Measurement Standards		Chain of Possession																																												
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Sampled by: _____																																														
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ADDRESS (NUMBER-STREET) Enter the specific Street number and Street name of location where the sample was obtained. It may be described in any of the following methods:

A. Street number, street name (Example: 525 S. Foothill Drive).

B. In rural areas or other places where street addresses are not used, the location should be described with reference to cross streets, known landmarks, highway markers, or other fixed points.

CITY Enter the city in which the firm is located and the sample was obtained.

COUNTY Enter the County name or Number as listed in this section.

BRAND Enter the brand name of the sample as shown on the container, dispenser, etc. If told by someone that it is a particular brand, show 'alleged _____. If no brand, show "NO-BRAND".

GRADE Enter the principal ingredient of the product sampled.

Example: A. Ethylene Glycol
B. Propylene Glycol

PRODUCT Enter the name of the product sampled (i.e., engine coolant, pre-diluted engine coolant, recycled engine coolant, recycled pre-diluted engine coolant).

PRICE/UNIT Enter the advertised, posted, or represented selling price of the sample per unit.

Example: A. \$1.959/gal.
B. \$0.89/qt.

BATCH Enter the batch number, lot number, date of processing, etc., of the sample if it is available.

SAMPLE TAKEN FROM Place a check mark into the box that best represents the containing vessel from which the sample was obtained (i.e., retail package, drum, tank, other describe).

REASON FOR SAMPLE Place a check mark into the box that best represents the reason for obtaining the sample (i.e., Follow-up, Survey, Complaint, Inspection).

CONDITIONS OF OBTAINING SAMPLE Place a check mark into the box that identifies that the sample was obtained while "undercover" or "open".

TESTS REQUESTED Enter any test(s) which you want the petroleum laboratory to perform or nature of complaint.

List of appropriate tests: **FP** Freeze Point
BP Boiling Point
RA Reserve Alkalinity

SAMPLED BY The officer who obtained the sample and is completing the Petroleum Products Sample Tag should place their legible name in this box.

CHAIN OF POSSESSION

NOTE: Each time the possession of a sample is transferred from one person to another, an entry SHALL BE MADE. The entries must be legible and complete. The individual who assumes custody determines the condition of the seal.

Division of Measurement Standards		Division of Measurement Standards Chain of Possession				
Seal: 	Sample No. _____					
Date: ____/____/____	Time: ____ hrs.					
Name of Firm: _____						
Address: _____						
City: _____	County: _____					
Brand: _____	Grade: _____					
Product: _____	Price/Unit: _____					
Batch Number: _____						
Retail Package <input type="checkbox"/> Drum <input type="checkbox"/> Tank <input type="checkbox"/> Other _____						
Follow-up <input type="checkbox"/> Survey <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/>						
Open <input type="checkbox"/> Undercover <input type="checkbox"/>						

FROM The officer releasing possession of a sample will sign their last name in this box.

TO The officer receiving possession of a sample will sign their last name in this box.

DATE Enter the date the sample was transferred. The date shall be expressed as the month, day of the month, and year (i.e., 12-24-30).

TIME-MILITARY Enter the exact military time that the sample was obtained or transferred (i.e., 0930 = 9:30 AM, 1345 = 1:45 PM).

SEAL CONDITION The officer receiving the sample shall indicate the condition of the seal ("OK", "Broken", etc.).

REMARKS Enter any remarks that will assist the Laboratory in making the necessary tests to the sample or explain any other entries on the form.

Procedure for Transmittal to Laboratory

There will be variants to any routine delivery system. However, in general, contact your area Liaison and Training Unit Specialist/Special Investigator Unit Investigator or Division office advising them that you have samples and make some definite arrangements for delivery.

Examples might be:

1. Ship to the Sacramento and/or Anaheim Petroleum laboratories.
2. Area representative will pick up in one day.
3. Request that the sample be delivered via another program's personnel.
4. County Inspector delivers to the lab or to a certain pick-up point.

NOTE: A sample not arriving at the laboratory shortly after it has been taken has lost its reason for priority handling, due to the fast turnover of dealers' inventories in today's petroleum market. It is therefore necessary to ensure that a sample receives the highest priority in its transfer to the laboratory.

Laboratory Operational and Notification Policy

Routine tests:

1. Test results of "OFF" specification samples will be FAXED to the County immediately with written results mailed.
2. Every effort will be made to satisfy priority test requests.

Circumstances When a Sample Will Not Be Tested

The laboratory will not test products:

1. For an individual's unofficial "passing interest" only.
2. To influence disputes when it is a matter outside of official concern.
3. When in competition with a commercial laboratory.
4. When the sample was not obtained by a weights and measures official in the performance of official duties.
5. When a motor fuel sample arrives to the state petroleum laboratory 7 or more days after the sample date.

In short, sample analysis activities of the Division's laboratories are concerned only with enforcement of provisions of Division 5, Chapters 14 and 15, Business and Professions Code, and attendant provisions of Title 4, California Code of Regulations.

COMMERCIAL LABORATORIES

This list of laboratories is provided as a convenience. It is not a recommendation or assurance of accuracy.

<p style="text-align: center;">Core Labs 21730 S. Wilmington Ave. Carson, CA 90810 (310) 513-2031</p> <p style="text-align: center;">(All petroleum - octanes)</p>	<p style="text-align: center;">E. W. Saybolt Co. 115 No. Avalon Wilmington, CA 90744 (213) 549-7990</p> <p style="text-align: center;">(All Petroleum - octanes)</p>	<p style="text-align: center;">E. W. Saybolt Co. 124 Parker Ave. Rodeo, CA 94572 (415) 799-2843</p> <p style="text-align: center;">(All Petroleum - octanes)</p>
<p style="text-align: center;">SGS Control Services 435 Valley View Rd. El Sobrante, CA 94803 (415) 236-3007</p> <p style="text-align: center;">(All petroleum - octanes)</p>	<p style="text-align: center;">Charles Martin Inspectors of Petroleum, Inc. 825 Miraflores San Pedro, CA 90731 (213) 833-2424</p> <p style="text-align: center;">(All petroleum)</p>	<p style="text-align: center;">Analysts, Inc. 2910 Ford Oakland, CA 94601 (415) 536-5914</p> <p style="text-align: center;">(Oil analysis)</p>
<p style="text-align: center;">Herguth Petroleum Labs, Inc. 101 Corporate Place Vallejo, CA 94590 (707) 554-4611</p> <p style="text-align: center;">(Gasoline, diesel & oil)</p>	<p style="text-align: center;">Pro-Tech 1471 Grey St. Sparks, NV 89431 (702) 358-3869</p> <p style="text-align: center;">(Primarily oil analysis, some diesel & gasoline work)</p>	<p style="text-align: center;">Pro-Tech P.O. Box 1050 Oroville, CA 95965 (916) 534-5227</p> <p style="text-align: center;">(Primarily oil analysis, some diesel & gasoline work)</p>
	<p style="text-align: center;">Inspectorate 24426 S. Main St., Suite 703 Carson, CA 90745 (310) 835-4017</p> <p style="text-align: center;">(All petroleum)</p>	

COUNTY CODE NUMBERS:

County Name	County Code	County Name	County Code
Alameda	01	Orange	30
Alpine	02	Placer	31
Amador	03	Plumas	32
Butte	04	Riverside	33
Calaveras	05	Sacramento	34
Colusa	06	San Benito	35
Contra Costa	07	San Bernardino	36
Del Norte	08	San Diego	37
El Dorado	09	San Francisco	38
Fresno	10	San Joaquin	39
Glenn	11	San Luis Obispo	40
Humboldt	12	San Mateo	41
Imperial	13	Santa Barbara	42
Inyo	14	Santa Clara	43
Kern	15	Santa Cruz	44
Kings	16	Shasta	45
Lake	17	Sierra	46
Lassen	18	Siskiyou	47
Los Angeles	19	Solano	48
Madera	20	Sonoma	49
Marin	21	Stanislaus	50
Mariposa	22	Sutter	51
Mendocino	23	Tehama	52
Merced	24	Trinity	53
Modoc	25	Tulare	54
Mono	26	Tuolumne	55
Monterey	27	Ventura	56
Napa	28	Yolo	57
Nevada	29	Yuba	58

LABORATORY TEST RESULT CHECKLIST

PRODUCT TEST

EFFECT OF FAILURE

Gasoline

Octane	Can cause performance loss and in severe situations damage to the engine. BPC 13440(d) and 13480(c)
Vapor Pressure	If high, can lead to vapor lock and excessive evaporative emission losses. BPC 13440(a), 13440(c); Title 4 CCR 4140; Title 13 CCR 2258; and ASTM D 4814
Vapor-Liquid Ratio	If low, can lead to vapor lock (i.e., fuel boiling in lines, fuel pumps or carburetors) at high operating temperatures. BPC 13440(a); CCR 4140; and ASTM D 4814
Water and Sediment	May lead to fuel system plugging, corrosion and engine stalling. BPC 13440(a); CCR 4140; and ASTM D 4814
Lead Content	May cause catalyst deterioration in unleaded vehicles. BPC 13440(a); CCR 4140; and ASTM D 4814
Distillation	Can cause problems related to cool weather driveability, hot starting, hot driveability, vapor lock, evaporative losses, crankcase deposits, combustion chamber & spark plug deposits. BPC 13440(a); CCR 4140; and ASTM D 4814
Sulfur Content	Can increase exhaust emissions, engine deposits and engine wear. BPC 13440(a); CCR 4140; and ASTM D 4814
Oxygenate	Ethers or Alcohol - required during winter months to reduce carbon monoxide emissions. BPC 13440(b) and 13480(d)

Diesel Fuel

Flash Point	Low flash point can impact safe handling and storage of fuel. Flash point is <u>not</u> directly related to engine performance (Gasoline contamination). BPC 13450(a); CCR 4143; and ASTM D 975
Sulfur Content	High sulfur content may increase exhaust emissions, engine deposits and engine wear. BPC 13450(a); Title 4 CCR 4143; Title 13 CCR 2281; and ASTM D 975

PRODUCT TEST

EFFECT OF FAILURE

Diesel Fuel (continued)

Cetane Number	A low cetane rating can impact upon ignition quality and cause combustion roughness. BPC 13450(a); CCR 4143; and ASTM D 975
Water Content and Sediment	Can lead to corrosion, filter plugging and biological growths. BPC 13450(a); CCR 4143; and ASTM D 975
Distillation	Engine performance and fuel economy are related to a fuel's boiling range. The 90% recovered point may be used to indicate a diesel fuel's grade number (i.e., #1 or #2). BPC 13450(a); CCR 4143; and ASTM D 975

Motor Oil

Viscosity (Cold Cranking Simulator)	Measure the oil's ability to permit engine cranking during cold start conditions. High viscosity can also reduce oil flow to the oil pump and entire engine after cold weather starts. BPC 13480(b) and SAE J300
Viscosity (Kinematic)	Measure the oil's ability to flow at high temperatures. If too thin, the oil may not provide protection against engine wear, blowby, and oil consumption. If too thick, the oil can reduce fuel economy and increase oil pressure. BPC 13480(b) and SAE J300
Neutralization Number (SA oil only)	Measure the oil's acidity or alkalinity. High acidity from strong acids may cause excessive engine wear. The presence of certain anti-wear additives can give high acid numbers. Metals analysis of the suspect oil may determine the source of the acidity. BPC 13460(d)

Chapter 3 Automatic Transmission Fluid

Viscosity (Kinematic)	Low viscosity may increase hydraulic control system pump leakage. It may also impact upon bearings, gears, and clutch and band friction surfaces. BPC 13710(b) and auto manufacturer's recommended requirements
Viscosity (Brookfield)	High viscosity may not permit proper cranking, starting and running in cold weather. BPC 13710(b) and auto manufacturer's recommended requirements

PRODUCT TEST

EFFECT OF FAILURE

Gear Oil

Viscosity (Kinematic)	Low viscosity may increase wear in manual transmissions and differentials. May also provide less protection during high temperature operation. BPC 13480(b) and SAE J306
Viscosity (Brookfield)	High viscosity can cause increased friction and reduced fuel economy in cold conditions. BPC 13480(b) and SAE J306

Brake Fluid

Boiling Point	A reduced boiling point can be caused by the absorption of water. Low boiling point fluids can lead to failure of braking systems. BPC 13710(c) and DOT MVSS #1 16
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Engine Coolant

Freeze Point	This indicates the temperature at which ice crystals will start to form. Ice can exert extreme pressures within the engine which may result in serious engine damage. BPC 13710(a); CCR 4161, 4162, 4163, 4164, 4615
Boiling Point	This indicates the temperature at which the coolant will boil at atmospheric pressure. Low boiling point coolants reduce heat transfer and can lead to engine overheating. BPC 13710(a); CCR 4161, 4162, 4163, 4164, 4615
Reserve Alkalinity	This indicates the capacity of the coolant to neutralize acids which may form in the cooling system. Acidic coolants may be corrosive to the cooling system. This test is not a good judge of corrosion protection for certain organic corrosion inhibitor packages. BPC 13710(a); CCR 4161, 4162, 4163, 4164, 4615

Kerosene

Flash Point	Low flash point can impact upon the safe handling and storage of the product. BPC 13450(b); CCR 4141; and ASTM D 3699
Sulfur Content	The sulfur content is the only difference between 1-K and 2-K kerosene. Non-fluid connected burner appliances require lower sulfur levels because of sulfur dioxide emissions. BPC 13450(b); CCR 4141; and ASTM D 3699
Distillation	Indicates the volatility of the fuel for proper vaporization and could impact the burning quality of the fuel. BPC 13450(b); CCR 4141; and ASTM D 3699

MOTOR VEHICLE FUEL OFF-SALE GUIDELINES

Off-Specification Product (Low-Flash Diesel – Nonstandard Gasoline)

1. Upon notification from Division of Measurement Standards' (DMS) laboratory that the product sampled did not meet State specifications, go to the location where the product was obtained and identify yourself to the manager or person in charge. **BPC-1344**
2. Explain to the manager what the test results on the sample were and what action you are going to take (only insofar as "below minimum flash point" or "contaminated with water" – do not disclose the actual test result numbers).
3. If additional product has been added to the storage tank since your sample, re-sample the product, properly label, and seal the sample. Rush sample to DMS laboratory for testing indicating that it is a follow-up sample requiring priority testing. Request new product delivery invoice. Issue a Notice of Violation (**BPC 13441 or 13451**) for the product that was sampled and did not meet State specifications. **BPC 13592, 13593**
4. If no additional product has been added to the storage tank since your sample, read the pump totalizer and stick the tank to determine the number of gallons in the storage tank. Check to see if there is water in the tank with water-finding paste and record the amount. **BPC 13595**
5. Attach (Form 41-052) RED CONDEMNED product tags (not Out of Order tags) with lead-and-wire seals to the storage tank fill pipe(s) and product dispenser(s) for the grade of product in question. Verify the Tank monitoring equipment liquid level after sealing storage tanks. The person so sealing shall post in a conspicuous place on the premises, a notice stating that the action of sealing has been taken and giving warning that it is unlawful to break or mutilate the seal(s) or remove the contents. **BPC 13595**
6. Explain to the manager that the product cannot be sold, removed, or disposed of without authorization, and that the RED CONDEMNED tags can only be removed by, or with the approval of, a weights and measures official. Leave a copy of the letter explaining **Section 13596 and 13600 of the Business and Professions Code** relating to product disposal. **BPC 13596 or 13600**
7. When the storage tank(s) are to be pumped out, check the tags and seals to see that they are intact. Check the totalizer readings and stick the tank to see that no product has been sold. Verify the tank monitoring equipment liquid level before and after the pump out occurs. Break the seals and allow the product to be pumped out of the storage tank. Have the lines and filters flushed with sufficient good product to assure all off-specification product is removed before releasing for sale. **BPC 13597 or 13598**
8. Obtain a sample of the replacement product from the delivery truck and of the new product through the dispenser after it has been dumped into the storage tank. Send samples to DMS laboratory for testing. **BPC 13592 or 13593**
9. Issue a Notice of Violation or citation to the responsible party in accordance with the citation section. **BPC 13441 or 13451**

PETROLEUM AND AUTOMOTIVE PRODUCTS Bulk, Pre-pack and Labeling

OFF-SALE GUIDELINES

1. Upon notification (preliminary or final petroleum laboratory report) from the Division of Measurement Standards' (DMS) Laboratory Services Unit, that the initial product sampled did not meet California specifications, go to the location where the product was obtained and identify yourself to the manager or person in charge. Issue a Notice of Violation (NOV) for the initial sample only. The batch number may be stated, but the NOV must not imply the entire lot or batch is out of specification.
2. Explain to the manager that the product sampled did not meet the specifications and that you are going to take a statistical lot sample to submit to the DMS laboratory.
3. Determine the quantity of product, lot or batch numbers that are readily available, identify the distributor, or supplier, and ask for copies of delivery invoices and receipts. Refer to Table 1 (page 7-27) to determine the number of packages to sample.
4. The following should be considered when sampling:
 - Statistical lot samples should always be taken for follow-up investigations.
 - Whenever possible, take the statistical lot sample at the source (distributor, supplier or manufacturer).
 - Nothing should preclude an inspector from taking statistical lot samples on the initial unit.
 - Statistical lot samples should always be taken in warehouses.
5. Obtain a statistical lot sample of the product within the batch or lot number. Consider additional collections from different lots or batch numbers of the same or similar products, at other locations, and submit to the laboratory for testing.
6. If the statistical lot sample fails to meet specifications, then issue a NOV for the appropriate Business and Professions Code section to the location manager and put the product off-sale. (See sample letter, page 7-28).

Note: The ***Business and Professions Code, Chapter 15, Article 4***, requires that off-sale orders for automotive products (brake fluid, coolant and automatic transmission fluid) be given to the retail seller and the manufacturer or distributor.

Code References:

Business and Professions Code, Chapter 14, Section 13595 – Unlawful to sell off-specification or mislabeled petroleum products.

Business and Professions Code, Chapter 15, Section 13470 – Unlawful to sell adulterated or mislabeled automotive products. Section 13731 – Off-sale authority.

Evaluation of Packaged Petroleum and Automotive Products for Compliance with Quality Standards

Lot Sampling Procedure

Scope - This method is to be used to evaluate packaged petroleum and automotive products for compliance with quality standards.

1. Inspection Lot - A lot shall consist of a group **of identically labeled packages** including any lot code or batch number printed on the package or shipping container ***located at one or more sites***.
2. Inspection Samples - The inspection samples shall be selected in a random manner. Containers or packages that are inaccessible because of physical or other constraints are not to be included. The cooperation and assistance from location staff is encouraged however their participation is not mandatory. The number of packages selected is dependent upon the size of the inspection lot. The number of packages are specified in Table 1.
3. Evaluation of Results - Inspection samples found to exceed an established quality limit by an amount greater than the reproducibility of the test method shall be considered non-standard. No adjustment for test precision shall be made for test methods for which the reproducibility of the method has not been established.
4. Rejection of an Inspection Lot - An inspection lot determined to contain non-standard inspection samples exceeding that shown in Table 1 is subject for removal from sale.

Table 1

Packages in Lot	Packages to Be Sampled	Maximum Allowed Number of Non-Standard Samples
1 to 3	All	0
4 to 64	4	0
65 to 125	5	0
126 to 216	6	1
217 to 343	7	1
344 to 512	8	1
513 to 729	9	1
730 to 1000	10	1
1001 to 1331	11	2
1332 to 1728	12	2
1729 to 2197	13	2
2198 to 2744	14	2
2745 to 3375	15	2
3376 to 4096	16	3
4097 to 4913	17	3
4914 to 5832	18	3
5833 to 6859	19	3
6860 and greater	20	3

DATE:

FROM:

EXAMPLE

TO:

ADDRESS:

C/o

STATE OF CALIFORNIA
DEPARTMENT OF FOOD AND AGRICULTURE
Division of Measurement Standards
8516 Fruitridge Road, Suite K
Sacramento, CA 95826

In accordance with the provisions of Section 13596 of the Business and Professions Code, please be advised that on _____ at _____ o'clock, ____m., I will be prepared to properly dispose of the products condemned and sealed by officials of the Division of Measurement Standards and/or County Weights and Measures at _____ California.

I request that a representative of the Division of Measurement Standards and/or County Weights and Measures be present at the above noted address at the time specified, to remove all seals and required sealing notices and to supervise the removal and disposition of the condemned products.

Signed:

13596: "Upon at least 24 hours written notice from the owner, manager or operator of the container, receptacle, pump or storage tank which has been sealed, to the department or to the sealer of the county in which the premises are situated stating that the contents of such container, receptacle, pump or storage tank will be removed or that such container, receptacle, pump, or storage tank **or** inlet end of the fill pipe thereof will be properly labeled as in this chapter provided, at a specified time, between the hours of 9 a.m. and 4 p.m. of a day specified in the notice, other than a holiday, such officer shall, at the time specified, break the seal or seals for the purpose of permitting the removal by such manager, owner or operator, of the contents of such container, receptacle, pump or storage tank connected thereto, or the use thereof after proper labeling."

"The removal of contents or proper labeling of the container, receptacle, pump, storage tank or inlet end of the fill pipe thereof, as the case may be, shall be made at the time specified and in the presence of the officer removing the seal."

13600: "It is unlawful for any person, or any member, officer, agent or employee of a firm, association or corporation other than the department or any of the officers mentioned in this article, to break, mutilate or destroy any seal or seals placed upon a container, receptacle, pump or storage tank connected thereto, or any other storage tank containing a petroleum product, when placed thereon as provided by this article, or to move a container so sealed, or remove the contents therefrom, or to cover, deface or remove the notice of sealing required by this article."

NOTE: Compliance with State and Federal hazardous waste requirements is the responsibility of the owner of the product.